



# *The Journal* OF THE *House of Representatives*

Number 6

Tuesday, March 11, 2014

The House was called to order by the Speaker at 3:00 p.m.

## Prayer

The following prayer was offered by Chaplain James Gazaway of the 83rd Troop Command, upon invitation of the Speaker:

Almighty God, our Creator, Redeemer, Sustainer, and Friend, we come before You this day to seek Your presence and to request Your guidance. We ask for Your grace to shine upon the leaders of our government. That they may be blessed with the wisdom needed to carry out their tasks and their weighty responsibilities. Grant in them the knowledge needed to administer the business of the great State of Florida both justly and fairly. Aid them in their work to maintain the dignity and the rights of the citizens who have entrusted them to these positions of authority. Assist the people of our state, along with our Governor and our Legislature, to work together to abolish all that mars our social life or that causes misery so that we may have the work, the food, the health, and the happiness to continue in service to you and to our state. Hear our prayers, O Lord, and grant them according to Your will and purpose for the blessing of our people. Amen.

The following members were recorded present:

Session Vote Sequence: 468

Speaker Weatherford in the Chair.

Yeas—117

Adkins	Dudley	McBurney	Reed
Ahern	Eagle	McGhee	Rehwinkel Vasilinda
Albritton	Edwards	McKeel	Renuart
Antone	Fitzenhagen	Metz	Richardson
Artiles	Fresen	Moraitis	Roberson, K.
Baxley	Fullwood	Moskowitz	Rodrigues, R.
Berman	Gaetz	Murphy	Rodriguez, J.
Beshears	Gibbons	Nelson	Rogers
Bileca	Gonzalez	Núñez	Rooney
Boyd	Goodson	Oliva	Rouson
Bracy	Grant	O'Toole	Santiago
Brodeur	Hager	Pafford	Saunders
Broxson	Harrell	Passidomo	Schenck
Caldwell	Hill	Patronis	Schwartz
Campbell	Holder	Perry	Slosberg
Castor Dentel	Hood	Peters	Smith
Clarke-Reed	Hooper	Pigman	Spano
Clelland	Hudson	Pilon	Stafford
Coley	Hutson	Porter	Stark
Combee	Ingram	Powell	Steube
Corcoran	Jones, M.	Pritchett	Stewart
Crisafulli	Jones, S.	Raburn	Stone
Cruz	Kerner	Rader	Taylor
Cummings	La Rosa	Rangel	Tobia
Danish	Lee	Raschein	Torres
Diaz, J.	Magar	Raulerson	Trujillo
Diaz, M.	Mayfield	Ray	Van Zant

Waldman	Weatherford	Workman
Watson, B.	Williams, A.	Young
Watson, C.	Wood	Zimmermann

Nays—None

(A list of excused members appears at the end of the *Journal*.)

A quorum was present.

## Presentation of the Colors

The Colors were presented by the following members of the Florida Army National Guard: Sergeant Major Thomas Aycock, Sergeant First Class Brian Presley, Staff Sergeant Curtis Miller, Sergeant Tiffany Mitchell, and Specialist Dustin Paridon and the following members of the Florida Air Guard: Staff Sergeant Karla Rodriguez, Staff Sergeant Matthew Hordeski, and Tech Sergeant Henry Joseph.

## Pledge

The members, led by Captain Lance Neff of the 83rd Troop Command pledged allegiance to the Flag.

## National Anthem

The Speaker introduced Staff Sergeant Sherry Denney of the 256th Medical Company, who sang "The Star Spangled Banner" at his invitation.

## House Physician

The Speaker introduced Dr. Robert Pickart, retired Colonel of the Florida Army National Guard, who served in the Clinic today upon invitation of Rep. Richardson.

## Presentation of Special Guests

The Speaker recognized Rep. Patronis to introduce Congressman Jeff Miller from Congressional District 1.

The Speaker recognized Rep. Artiles to introduce Major General Emmet Titshaw, Secretary of the Department of Military Affairs.

The Speaker recognized Rep. Steube to introduce Colonel Mike Prendergast, Executive Director of the Florida Department of Veterans' Affairs.

The Speaker recognized Rep. Raulerson to introduce the following special guests: Corporal Ira Bryant and Staff Sergeant Scott Dunn of the 3/116th Field Artillery.

### Moment of Silence

The Speaker recognized Rep. Renuart to introduce the 7 Gold Star Mothers in the Gallery and request a moment of silence for: Corporal Frank R. Gross, Specialist Rheen Tyson Heighter, Specialist Richard "Buck" Hubbell, Sergeant David Isaiah LaDart, Medal of Honor Recipient Staff Sergeant Robert J. Miller, Private First Class Anthony W. Simmons, Specialist Ashley Sharell Williams, and all of our fallen soldiers.

## House Resolutions

### Motion

Rep. Smith moved to waive the rules and take up **HR 9021**, and read the resolution a second time in full, which was agreed to.

**HR 9021**—A resolution recognizing the patriotic service and sacrifice of Florida's active duty military servicemembers, National Guard members, reservists, veterans, and their families.

WHEREAS, Florida is home to more than 56,000 active duty military servicemembers, approximately 12,000 National Guard members, more than 35,000 select reservists, and more than 1.5 million veterans, the third largest population of veterans in the United States, and

WHEREAS, more than 300 Floridians have made the ultimate sacrifice in the Global War on Terrorism and more than 2,000 Floridians have been wounded in action during the Global War on Terrorism, and

WHEREAS, 25 Floridians have been awarded the Medal of Honor for gallantry and valor above and beyond the call of duty, and many more Floridians have been awarded medals for heroism and bravery, and

WHEREAS, two more brave Floridians will receive the Medal of Honor on March 18, 2014, and

WHEREAS, Florida owes a lasting debt of gratitude for all of its current and veteran Soldiers, Sailors, Airmen, Marines, Coast Guard members, Merchant Mariners, National Guard members, and Reservists, as well as all of those who have died in the service of our nation, that we might continue to enjoy the liberties we so deeply cherish, and

WHEREAS, a debt of gratitude is also owed to the Gold Star Families who have lost a loved one who made the ultimate sacrifice while protecting our country, and

WHEREAS, Florida's active duty military servicemembers, National Guard members, reservists, veterans, and their families richly deserve recognition for their patriotism, bravery, and selfless service, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the men and women who answered our nation's call during times of war and peace are recognized and commended for their bravery and selflessness, and their families are thanked for supporting our soldiers while they fought for our freedom across the world.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to the Department of Veterans' Affairs and the Department of Military Affairs as a tangible token of the sentiments expressed herein.

—was read the second time in full. On motion by Rep. Smith, the resolution was adopted.

### Motion

Rep. Crisafulli moved to waive the rules and take up **HR 9023**, and read the resolution a second time in full, which was agreed to.

**HR 9023**—A resolution honoring retired Sergeant First Class Melvin Morris, who will receive the Medal of Honor on March 18, 2014.

WHEREAS, current Florida resident and retired Sergeant First Class Melvin Morris was born in Oklahoma on January 7, 1942, entered the Oklahoma Army National Guard in 1959, became a member of the United States Army Special Forces in 1961, and was sent on the first of two volunteer deployments to Vietnam in 1969, and

WHEREAS, on the morning of September 17, 1969, while on a mission commanding the Third Company, Third Battalion of the IV Mobile Strike Force near Chi Lang, Vietnam, then-Staff Sergeant Morris learned that a fellow soldier had been killed in enemy territory, and

WHEREAS, Staff Sergeant Morris reorganized the members of his strike force and, while under hostile fire, began advancing into enemy territory to recover the body of their fellow soldier, and

WHEREAS, after the two men accompanying him in this endeavor were wounded, Staff Sergeant Morris not only braved danger to escort them back across friendly lines, but then, with determination, disregarded his personal safety and advanced again into enemy territory, and

WHEREAS, Staff Sergeant Morris located the fallen soldier, administered the last rites, and, under a barrage of enemy fire, was shot three times—once each through the chest, arm, and hand—but was ultimately successful in recovering his compatriot's body and returning it to safety, and

WHEREAS, on March 18, 2014, retired Sergeant First Class Melvin Morris, who was wounded while selflessly ignoring his own well-being to ensure that a fallen comrade was not left behind, will receive the Medal of Honor, the nation's highest honor for valor in combat, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That retired Sergeant First Class Melvin Morris is commended for his outstanding bravery, heroism beyond the call of duty, and remarkable dedication to his country and is congratulated on receiving the Medal of Honor.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to retired Sergeant First Class Melvin Morris, his wife, Mary, and their family as a tangible token of the sentiments expressed herein.

—was read the second time in full. On motion by Rep. Crisafulli, the resolution was adopted.

### Presentation Honoring the Military Service of Members

A video honoring current members who are serving or served in the military was viewed on the floor.

## Correction of the *Journal*

The *Journal* of March 4, 2014 was corrected and approved as follows: On page 9, column 2, lines 3 and 4 from the bottom, delete said lines and insert the following in lieu thereof: I am directed to inform the House of Representatives that the Senate has adopted HCR 8005.

## Reports of Standing Committees and Subcommittees

### Reports of the Rules & Calendar Committee

*The Honorable Will Weatherford*  
*Speaker, House of Representatives*

March 6, 2014

*Dear Mr. Speaker:*

Your Rules & Calendar Committee herewith submits the Special Order for Tuesday, March 11, 2014. Consideration of the House bills on Special Orders shall include the Senate Companion measures on the House Calendar.

## I. Consideration of the following bills:

- CS/HB 7019 - Judiciary Committee, Criminal Justice Subcommittee, & others  
Involuntary Civil Commitment of Sexually Violent Predators
- CS for CS for SB 522 - Appropriations, Children, Families, and Elder Affairs, & others  
Involuntary Civil Commitment of Sexually Violent Predators
- CS/CS/HB 7021 - Judiciary Committee, Health & Human Services Committee, & others  
Sexually Violent Predators
- CS for SB 524 - Appropriations, Sobel, & others  
Sexually Violent Predators
- CS/CS/HB 7025 - Judiciary Committee, Appropriations Committee, & others  
Sex Offenses
- CS for CS for SB 528 - Appropriations, Judiciary, & others  
Sex Offenses
- CS/HB 7027 - Judiciary Committee, Criminal Justice Subcommittee, & others  
Sexual Offenses
- CS for CS for CS for SB 526 - Appropriations, Judiciary, & others  
Sexual Offenses
- HB 7073 - Appropriations Committee, McKeel  
Information Technology Governance
- HB 7031 - K-12 Subcommittee, Adkins, & others  
Education
- HB 97 - Magar, Spano, & others  
Dentists & Dental Hygienists
- CS/HB 7007 - Economic Affairs Committee, Transportation & Highway Safety Subcommittee, & others  
Pub. Rec./Payment of Tolls and Associated Charges
- CS/CS/HB 173 - Education Committee, Choice & Innovation Subcommittee, & others  
Juvenile Justice Education Programs
- CS/CS/HB 277 - Education Committee, Civil Justice Subcommittee, & others  
Joint Use of Public School Facilities

A quorum was present in person, and a majority of those present agreed to the above Report.

Respectfully submitted,  
*Robert C. Schenck*, Chair  
Rules & Calendar Committee

On motion by Rep. Schenck, the above report was adopted.

## Special Orders

**CS/HB 7019** was taken up. On motion by Rep. Hutson, the House agreed to substitute CS for CS for SB 522 for CS/HB 7019 and read CS for CS for SB 522 the second time by title. Under Rule 5.13, the House bill was laid on the table.

**CS for CS for SB 522**—A bill to be entitled An act relating to involuntary civil commitment of sexually violent predators; amending s. 394.912, F.S.;

redefining terms; creating s. 394.9125, F.S.; authorizing and requiring a state attorney to refer certain persons for civil commitment under certain circumstances; requiring the state attorney to notify county and municipal jails of a referral within a specified timeframe; authorizing the state attorney to file a petition requesting that a person be taken into custody for civil commitment proceedings; requiring a judge to order a person into custody for civil commitment proceedings upon making specified findings; amending s. 394.913, F.S.; requiring the agency with jurisdiction over a person who has been convicted of a sexually violent offense to give written notice to the multidisciplinary team as soon as practicable after receipt into custody of such person in a county or municipal jail facility; requiring the multidisciplinary team to prioritize assessments based on release dates; authorizing the multidisciplinary team to consult with law enforcement agencies and victim advocate groups as part of the assessment and evaluation process; authorizing a clinical evaluation; requiring a second clinical evaluation under certain circumstances; requiring the multidisciplinary team to proceed without a personal interview under certain circumstances; requiring the multidisciplinary team to provide the state attorney with a written assessment and recommendation as to whether a person meets the definition of a sexually violent predator within specified timeframes; requiring the Department of Children and Families to recommend that the state attorney file a civil commitment petition under certain circumstances; requiring the department to send the recommendation and assessment to the state attorney for further review; requiring the multidisciplinary team to reexamine the case under certain circumstances; requiring the multidisciplinary team to give equal consideration to an attempt, criminal solicitation, or conspiracy to commit certain offenses as it does to the commission of such offenses; conforming provisions to changes made by the act; amending s. 394.9135, F.S.; providing for certain released persons to be taken into custody by the Department of Children and Families; authorizing the state attorney to file, within a specific timeframe, a petition alleging that a person released from a local detention facility was not referred as required before release because of a mistake, oversight, or intentional act or was referred for commitment consideration but released rather than transferred to custody, as required, due to a mistake, oversight, or intentional act; requiring a judge to order that a person so released be taken into custody and delivered to an appropriate secure facility under certain circumstances; amending s. 394.914, F.S.; authorizing the state attorney to file a petition for civil commitment regardless of the multidisciplinary team's recommendation; amending s. 394.918, F.S.; authorizing the petitioner and respondent to present evidence at a civil commitment probable cause hearing; amending s. 394.926, F.S.; requiring the department to provide written notice of placement of a person in the department's custody to a victim of such person; requiring the department to notify the Department of Corrections, the Department of Law Enforcement, and the sheriff of the county in which such person intends to reside of the release of a sexually violent predator or a person who is in custody; requiring the Department of Children and Families to enroll certain persons in an arrest notification program and to notify the state attorney upon receiving an arrest alert; amending s. 394.931, F.S.; requiring the Department of Corrections to collect recidivism information and include the information in their annual report; amending s. 943.053, F.S.; requiring the Department of Law Enforcement to provide the Department of Children and Families access to the arrest notification program; providing for severability; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/HB 7021** was taken up. On motion by Rep. Harrell, the House agreed to substitute CS for SB 524 for CS/CS/HB 7021 and read CS for SB 524 the second time by title. Under Rule 5.13, the House bill was laid on the table.

**CS for SB 524**—A bill to be entitled An act relating to sexually violent predators; providing a short title; amending s. 394.913, F.S.; requiring the Department of Children and Families to provide training to the members of the multidisciplinary team; limiting the term of contract of multidisciplinary

team members who contract with the department to 1 year; providing that such contracts may be renewed; requiring the department to maintain data on each case on the recommendations of the clinical evaluators; requiring state attorneys to provide the department with specified information; requiring the multidisciplinary team to prioritize assessments based on release dates; requiring the multidisciplinary team to proceed without a personal interview under certain circumstances; requiring the multidisciplinary team to provide the state attorney with a written assessment and recommendation as to whether a person meets the definition of a sexually violent predator within specified timeframes; requiring the department to recommend that the state attorney file a civil commitment petition under certain circumstances; requiring the department to send the recommendation and assessment to the state attorney for further review; requiring the multidisciplinary team to reexamine the case under certain circumstances; conforming provisions to changes made by the act; creating s. 1005.10, F.S.; requiring nonpublic colleges, universities, and schools to inform students and employees of the Florida Department of Law Enforcement sexual predator and sexual offender registry website and toll-free telephone number; creating s. 1006.695, F.S.; requiring Florida College System institutions, state universities, and career centers to inform students and employees of the Florida Department of Law Enforcement sexual predator and sexual offender registry website and toll-free telephone number; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/HB 7025** was taken up. On motion by Rep. Eagle, the House agreed to substitute CS for CS for SB 528 for CS/CS/HB 7025 and read CS for CS for SB 528 the second time by title. Under Rule 5.13, the House bill was laid on the table.

**CS for CS for SB 528**—A bill to be entitled An act relating to sex offenses; amending s. 68.07, F.S.; requiring the Department of Law Enforcement to inform the clerk of the court if a person petitioning for a name change has registered as a sexual predator or sexual offender; requiring that each name change petition show whether the petitioner has ever been required to register as a sexual predator or sexual offender; requiring certain agencies to be notified of an order granting a name change to a person required to register as a sexual predator or sexual offender; requiring the Department of Law Enforcement and certain law enforcement agencies to be notified when a person required to register as a sexual predator or sexual offender and granted a legal name change fails to meet requirements to obtain a replacement driver license or identification card; amending s. 775.21, F.S.; revising definitions; providing that voluntary disclosure of specified information waives a disclosure exemption for such information; adding additional offenses to the list of sexual predator qualifying offenses; requiring disclosure of additional information during the sexual predator registration process; requiring that a sexual predator who is unable to secure or update a driver license or identification card within a specified period report a change in certain information to the local sheriff's office within a specified time after such change and confirm that he or she also reported such information to the Department of Highway Safety and Motor Vehicles; requiring reporting of transient residence information within specified time periods; requiring sheriffs to establish procedures for reporting transient residence information; authorizing sheriffs to enter into agreements for reporting transient residence information; providing a criminal penalty for failure to report transient residence information; revising reporting requirements if a sexual predator plans to leave the United States for more than a specified time; authorizing sheriffs to verify the address of registrants under the care, custody, control, or supervision of the Department of Corrections; providing criminal penalties for knowingly providing false registration information by act or omission; authorizing additional venues for prosecution of registration violations; conforming provisions to changes made by the act; amending s. 775.25, F.S.; authorizing additional venues for prosecution of registration violations; amending s. 943.043, F.S.; prohibiting display or dissemination of certain vehicle information on the Internet public registry of sexual predators and offenders; amending s. 943.0435, F.S.; adding additional offenses to the list

of sexual offender qualifying offenses; revising definitions; requiring disclosure of additional sexual offender registration information; requiring reporting of transient residence information within specified time periods; requiring sheriffs to establish procedures for reporting transient residence information; authorizing sheriffs to enter into agreements for reporting transient residence information; providing a criminal penalty for failure to report transient residence information; requiring that a sexual offender who is unable to secure or update a driver license or identification card within a specified period report a change in certain information to the local sheriff's office within a specified period of time of such change and confirm that he or she also reported such information to the Department of Highway Safety and Motor Vehicles; authorizing sheriffs to verify the address of registrants under the care, custody, and control, or supervision of the Department of Corrections; providing additional requirements for sexual offenders intending to reside outside of the United States; authorizing additional venues for prosecution of registration violations; revising criteria applicable to provisions that allow removal of the requirement to register as a sexual offender; providing criminal penalties for knowingly providing false registration information by act or omission; conforming provisions to changes made by the act; amending s. 943.04354, F.S.; revising the criteria applicable to provisions that allow removal of the requirement to register as a sexual offender or sexual predator; amending s. 943.0437, F.S.; conforming terminology; amending ss. 944.606 and 944.607, F.S.; adding additional offenses to the list of sexual offender qualifying offenses; revising definitions; requiring disclosure of additional registration information; providing criminal penalties for knowingly providing false registration information by act or omission; conforming provisions to changes made by the act; amending ss. 985.481 and 985.4815, F.S.; requiring disclosure of additional registration information by certain sexual offenders adjudicated delinquent and certain juvenile sexual offenders; providing criminal penalties for knowingly providing false registration information by act or omission; amending s. 921.0022, F.S.; updating provisions of the offense severity ranking chart of the Criminal Punishment Code to reflect prior changes in the law; conforming provisions of the offense severity ranking chart to changes made by the act; providing an effective date.

—was read the second time by title.

Representative Eagle offered the following:

(Amendment Bar Code: 634967)

**Amendment 1 (with title amendment)**—Remove lines 130-1755 and insert:

register as a sexual predator under s. 775.21 or as a sexual offender under s. 943.0435.

~~(l)(4)~~ Whether any money judgment has ever been entered against the petitioner and if so, the name of the judgment creditor, the amount and date thereof, the court by which entered, and whether the judgment has been satisfied.

~~(k)(4)~~ That the petition is filed for no ulterior or illegal purpose and granting it will not in any manner invade the property rights of others, whether partnership, patent, good will, privacy, trademark, or otherwise.

~~(l)(4)~~ That the petitioner's civil rights have never been suspended or, if the petitioner's civil rights have been suspended, that full restoration of civil rights has occurred.

(6) The clerk of the court must, within 5 business days after ~~upon~~ the filing of the final judgment, send a report of the judgment to the Department of Law Enforcement on a form to be furnished by that department. If the petitioner is required to register as a sexual predator or a sexual offender pursuant to s. 775.21 or s. 943.0435, the clerk of court shall electronically notify the Department of Law Enforcement of the name change, in a manner prescribed by that department, within 2 business days after the filing of the final judgment. The Department of Law Enforcement must send a copy of the report to the Department of Highway Safety and Motor Vehicles, which may be delivered by electronic transmission. The report must contain sufficient information to identify the petitioner, including the results of the criminal

history records check if applicable, the new name of the petitioner, and the file number of the judgment. The Department of Highway Safety and Motor Vehicles shall monitor the records of any sexual predator or sexual offender whose name has been provided to it by the Department of Law Enforcement. If the sexual predator or sexual offender does not obtain a replacement driver license or identification card within the required time as specified in s. 775.21 or s. 943.0435, the Department of Highway Safety and Motor Vehicles shall notify the Department of Law Enforcement. The Department of Law Enforcement shall notify applicable law enforcement agencies of the predator's or offender's failure to comply with registration requirements. Any information retained by the Department of Law Enforcement and the Department of Highway Safety and Motor Vehicles may be revised or supplemented by said departments to reflect changes made by the final judgment. With respect to a person convicted of a felony in another state or of a federal offense, the Department of Law Enforcement must send the report to the respective state's office of law enforcement records or to the office of the Federal Bureau of Investigation. The Department of Law Enforcement may forward the report to any other law enforcement agency it believes may retain information related to the petitioner.

Section 2. Paragraphs (i) and (m) of subsection (2), paragraph (a) of subsection (4), subsections (6) and (8), and paragraphs (a) and (d) of subsection (10) of section 775.21, Florida Statutes, are amended, and paragraph (n) is added to subsection (2) of that section, to read:

775.21 The Florida Sexual Predators Act.—

(2) DEFINITIONS.—As used in this section, the term:

(i) "Internet identifier ~~instant message name~~" means all electronic mail, chat, instant messenger, social networking, application software, or similar names used for Internet communication, but does not include a date of birth, social security number, or personal identification number (PIN). Voluntary disclosure by a sexual predator of his or her date of birth, social security number, or PIN as an Internet identifier waives the disclosure exemption in this paragraph for such personal information an identifier that allows a person to communicate in real time with another person using the Internet.

(m) "Transient residence" means a place or county where a person lives, remains, or is located for a period of 5 or more days in the aggregate during a calendar year and which is not the person's permanent or temporary address. The term includes, but is not limited to, a place where the person sleeps or seeks shelter and a location that has no specific street address.

(n) "Vehicles owned" means any motor vehicle as defined in s. 320.01, which is registered, co-registered, leased, titled, or rented by a sexual predator or sexual offender; a rented vehicle that a sexual predator or sexual offender is authorized to drive; or a vehicle for which a sexual predator or sexual offender is insured as a driver. The term also includes any motor vehicle as defined in s. 320.01, which is registered, co-registered, leased, titled, or rented by a person or persons residing at a sexual predator's or sexual offender's permanent residence for 5 or more consecutive days.

(4) SEXUAL PREDATOR CRITERIA.—

(a) For a current offense committed on or after October 1, 1993, upon conviction, an offender shall be designated as a "sexual predator" under subsection (5), and subject to registration under subsection (6) and community and public notification under subsection (7) if:

1. The felony is:

a. A capital, life, or first-degree felony violation, or any attempt thereof, of s. 787.01 or s. 787.02, where the victim is a minor and the defendant is not the victim's parent or guardian, or s. 794.011, s. 800.04, or s. 847.0145, or a violation of a similar law of another jurisdiction; or

b. Any felony violation, or any attempt thereof, of s. 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is not the victim's parent or guardian; s. 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 810.145(8)(b); s. 825.1025 ~~s. 825.1025(2)(b)~~; s. 827.071; s. 847.0135, excluding s. 847.0135(6) ~~s. 847.0135(5)~~; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or a violation of a similar law of another jurisdiction, and the offender has previously been convicted of or found to have committed, or has pled nolo contendere or guilty to, regardless of adjudication, any violation of s. 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is

not the victim's parent or guardian; s. 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0145; s. 916.1075(2); or s. 985.701(1); or a violation of a similar law of another jurisdiction;

2. The offender has not received a pardon for any felony or similar law of another jurisdiction that is necessary for the operation of this paragraph; and

3. A conviction of a felony or similar law of another jurisdiction necessary to the operation of this paragraph has not been set aside in any postconviction proceeding.

(6) REGISTRATION.—

(a) A sexual predator shall ~~must~~ register with the department through the sheriff's office by providing the following information to the department:

1. Name; social security number; age; race; sex; date of birth; height; weight; tattoos or other identifying marks; hair and eye color; photograph; address of legal residence and address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; if no permanent or temporary address, any transient residence within the state; address, location or description, and dates of any current or known future temporary residence within the state or out of state; all any electronic mail ~~addresses~~ address and all Internet identifiers ~~any instant message name~~ required to be provided pursuant to subparagraph (g)5, (g)4; ~~(g)4;~~ all home telephone numbers number and any cellular telephone numbers number; date and place of any employment; the make, model, color, vehicle identification number (VIN), and license tag number of all vehicles owned; date and place of each conviction; fingerprints; palm prints; and a brief description of the crime or crimes committed by the offender. A post office box may shall not be provided in lieu of a physical residential address. The sexual predator shall produce his or her passport, if he or she has a passport, and, if he or she is an alien, shall produce or provide information about documents establishing his or her immigration status. The sexual predator shall also provide information about any professional licenses he or she has.

a. If the sexual predator's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual predator shall also provide to the department written notice of the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If a sexual predator's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual predator shall also provide to the department written notice of the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel, or houseboat.

b. If the sexual predator is enrolled, employed, volunteering, or carrying on a vocation at an institution of higher education in this state, the sexual predator shall also provide to the department the name, address, and county of each institution, including each campus attended, and the sexual predator's enrollment, volunteer, or employment status. Each change in enrollment, volunteer, or employment status must shall be reported in person at the sheriff's office, or the Department of Corrections if the sexual predator is in the custody or control of or under the supervision of the Department of Corrections, within 48 hours after any change in status. The sheriff or the Department of Corrections shall promptly notify each institution of the sexual predator's presence and any change in the sexual predator's enrollment, volunteer, or employment status.

c. A sexual predator shall report in person to the sheriff's office within 48 hours after any change in vehicles owned to report those vehicle information changes.

2. Any other information determined necessary by the department, including criminal and corrections records; nonprivileged personnel and treatment records; and evidentiary genetic markers when available.

(b) If the sexual predator is in the custody or control of, or under the supervision of, the Department of Corrections, or is in the custody of a private correctional facility, the sexual predator shall must register with the Department of Corrections. A sexual predator who is under the supervision of the Department of Corrections but who is not incarcerated shall must

register with the Department of Corrections within 3 business days after the court finds the offender to be a sexual predator. The Department of Corrections shall provide to the department registration information and the location of, and local telephone number for, any Department of Corrections office that is responsible for supervising the sexual predator. In addition, the Department of Corrections shall notify the department if the sexual predator escapes or absconds from custody or supervision or if the sexual predator dies.

(c) If the sexual predator is in the custody of a local jail, the custodian of the local jail shall register the sexual predator within 3 business days after intake of the sexual predator for any reason and upon release, and shall forward the registration information to the department. The custodian of the local jail shall also take a digitized photograph of the sexual predator while the sexual predator remains in custody and shall provide the digitized photograph to the department. The custodian shall notify the department if the sexual predator escapes from custody or dies.

(d) If the sexual predator is under federal supervision, the federal agency responsible for supervising the sexual predator may forward to the department any information regarding the sexual predator which is consistent with the information provided by the Department of Corrections under this section, and may indicate whether use of the information is restricted to law enforcement purposes only or may be used by the department for purposes of public notification.

(e)1. If the sexual predator is not in the custody or control of, or under the supervision of, the Department of Corrections or is not in the custody of a private correctional facility, the sexual predator shall register in person:

a. At the sheriff's office in the county where he or she establishes or maintains a residence within 48 hours after establishing or maintaining a residence in this state; and

b. At the sheriff's office in the county where he or she was designated a sexual predator by the court within 48 hours after such finding is made.

2. Any change in the sexual predator's permanent or temporary residence, name, vehicles owned, ~~or any~~ electronic mail addresses, or Internet identifiers ~~address and any instant message name~~ required to be provided pursuant to subparagraph (g)5. ~~(g)4.~~, after the sexual predator registers in person at the sheriff's office as provided in subparagraph 1., ~~must~~ shall be accomplished in the manner provided in paragraphs (g), (i), and (j). When a sexual predator registers with the sheriff's office, the sheriff shall take a photograph, ~~and~~ a set of fingerprints, ~~and palm prints~~ of the predator and forward the photographs, ~~palm prints~~, and fingerprints to the department, along with the information that the predator is required to provide pursuant to this section.

(f) Within 48 hours after the registration required under paragraph (a) or paragraph (e), a sexual predator who is not incarcerated and who resides in the community, including a sexual predator under the supervision of the Department of Corrections, shall register in person at a ~~driver driver's~~ license office of the Department of Highway Safety and Motor Vehicles and shall present proof of registration. At the ~~driver driver's~~ license office the sexual predator shall:

1. If otherwise qualified, secure a Florida ~~driver driver's~~ license, renew a Florida ~~driver driver's~~ license, or secure an identification card. The sexual predator shall identify himself or herself as a sexual predator who is required to comply with this section, provide his or her place of permanent, temporary, or transient residence, including a rural route address and a post office box, and submit to the taking of a photograph for use in issuing a ~~driver driver's~~ license, renewed license, or identification card, and for use by the department in maintaining current records of sexual predators. A post office box ~~may~~ shall not be provided in lieu of a physical residential address. If the sexual predator's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual predator shall also provide to the Department of Highway Safety and Motor Vehicles the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If a sexual predator's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual predator shall also provide to the Department of Highway Safety and Motor Vehicles the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a

description, including color scheme, of the vessel, live-aboard vessel, or houseboat.

2. Pay the costs assessed by the Department of Highway Safety and Motor Vehicles for issuing or renewing a ~~driver driver's~~ license or identification card as required by this section. The ~~driver driver's~~ license or identification card issued to the sexual predator must comply ~~be in compliance~~ with s. 322.141(3).

3. Provide, upon request, any additional information necessary to confirm the identity of the sexual predator, including a set of fingerprints.

(g)1. Each time a sexual predator's ~~driver driver's~~ license or identification card is subject to renewal, and, without regard to the status of the predator's ~~driver driver's~~ license or identification card, within 48 hours after any change of the predator's residence or change in the predator's name by reason of marriage or other legal process, the predator shall report in person to a ~~driver driver's~~ license office and ~~is~~ shall be subject to the requirements specified in paragraph (f). The Department of Highway Safety and Motor Vehicles shall forward to the department and to the Department of Corrections all photographs and information provided by sexual predators. Notwithstanding the restrictions set forth in s. 322.142, the Department of Highway Safety and Motor Vehicles may ~~is authorized to~~ release a reproduction of a color-photograph or digital-image license to the Department of Law Enforcement for purposes of public notification of sexual predators as provided in this section. A sexual predator who is unable to secure or update a driver license or identification card with the Department of Highway Safety and Motor Vehicles as provided in paragraph (f) and this paragraph shall also report any change of the predator's residence or change in the predator's name by reason of marriage or other legal process within 48 hours after the change to the sheriff's office in the county where the predator resides or is located and provide confirmation that he or she reported such information to the Department of Highway Safety and Motor Vehicles.

2.a. A sexual predator who vacates a permanent, temporary, or transient residence and fails to establish or maintain another permanent, temporary, or transient residence shall, within 48 hours after vacating the permanent, temporary, or transient residence, report in person to the sheriff's office of the county in which he or she is located. The sexual predator shall specify the date upon which he or she intends to or did vacate such residence. The sexual predator ~~shall must~~ provide or update all of the registration information required under paragraph (a). The sexual predator ~~shall must~~ provide an address for the residence or other place that he or she is or will be located during the time in which he or she fails to establish or maintain a permanent or temporary residence.

b. A sexual predator shall report in person at the sheriff's office in the county in which he or she is located within 48 hours after establishing a transient residence and thereafter must report in person every 30 days to the sheriff's office in the county in which he or she is located while maintaining a transient residence. The sexual predator must provide the addresses and locations where he or she maintains a transient residence. Each sheriff's office shall establish procedures for reporting transient residence information and provide notice to transient registrants to report transient residence information as required in this sub-subparagraph. Reporting to the sheriff's office as required by this sub-subparagraph does not exempt registrants from any reregistration requirement. The sheriff may coordinate and enter into agreements with police departments and other governmental entities to facilitate additional reporting sites for transient residence registration required in this sub-subparagraph. The sheriff's office shall, within 2 business days, electronically submit and update all information provided by the sexual predator to the department.

3. A sexual predator who remains at a permanent, temporary, or transient residence after reporting his or her intent to vacate such residence shall, within 48 hours after the date upon which the predator indicated he or she would or did vacate such residence, report in person to the sheriff's office to which he or she reported pursuant to subparagraph 2. for the purpose of reporting his or her address at such residence. When the sheriff receives the report, the sheriff shall promptly convey the information to the department. An offender who makes a report as required under subparagraph 2. but fails to make a report as required under this subparagraph commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

4. The failure of a sexual predator who maintains a transient residence to report in person to the sheriff's office every 30 days as required by subparagraph (g)2.b. is punishable as provided in subsection (10).

5.4. A sexual predator ~~shall~~ ~~must~~ register ~~all~~ ~~any~~ electronic mail ~~addresses~~ and Internet identifiers ~~address or instant message name~~ with the department before ~~prior to~~ using such electronic mail addresses and Internet identifiers ~~address or instant message name on or after October 1, 2007~~. The department shall establish an online system through which sexual predators may securely access and update all electronic mail address and Internet identifier ~~instant message name~~ information.

(h) The department ~~shall~~ ~~must~~ notify the sheriff and the state attorney of the county and, if applicable, the police chief of the municipality, where the sexual predator maintains a residence.

(i) A sexual predator who intends to establish a permanent, temporary, or transient residence in another state or jurisdiction other than the State of Florida shall report in person to the sheriff of the county of current residence within 48 hours before the date he or she intends to leave this state to establish residence in another state or jurisdiction or within 21 days before his or her planned departure date if the intended residence of 5 days or more is outside of the United States. The sexual predator ~~shall~~ ~~must~~ provide to the sheriff the address, municipality, county, ~~and~~ state, and country of intended residence. The sheriff shall promptly provide to the department the information received from the sexual predator. The department shall notify the statewide law enforcement agency, or a comparable agency, in the intended state, ~~or~~ jurisdiction, ~~or~~ country of residence of the sexual predator's intended residence. The failure of a sexual predator to provide his or her intended place of residence is punishable as provided in subsection (10).

(j) A sexual predator who indicates his or her intent to establish a permanent, temporary, or transient residence in another state, ~~a~~ ~~or~~ jurisdiction other than the State of Florida, ~~or~~ another country and later decides to remain in this state shall, within 48 hours after the date upon which the sexual predator indicated he or she would leave this state, report in person to the sheriff to which the sexual predator reported the intended change of residence, and report his or her intent to remain in this state. If the sheriff is notified by the sexual predator that he or she intends to remain in this state, the sheriff shall promptly report this information to the department. A sexual predator who reports his or her intent to establish a permanent, temporary, or transient residence in another state, ~~a~~ ~~or~~ jurisdiction other than the State of Florida, ~~or~~ another country, but who remains in this state without reporting to the sheriff in the manner required by this paragraph, commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(k)1. The department is responsible for the online maintenance of current information regarding each registered sexual predator. The department ~~shall~~ ~~must~~ maintain hotline access for state, local, and federal law enforcement agencies to obtain instantaneous locator file and offender characteristics information on all released registered sexual predators for purposes of monitoring, tracking, and prosecution. The photograph, palm prints, and fingerprints do not have to be stored in a computerized format.

2. The department's sexual predator registration list, containing the information described in subparagraph (a)1., is a public record. The department ~~may~~ ~~is authorized to~~ disseminate this public information by any means deemed appropriate, including operating a toll-free telephone number for this purpose. When the department provides information regarding a registered sexual predator to the public, department personnel ~~shall~~ ~~must~~ advise the person making the inquiry that positive identification of a person believed to be a sexual predator cannot be established unless a fingerprint comparison is made, and that it is illegal to use public information regarding a registered sexual predator to facilitate the commission of a crime.

3. The department shall adopt guidelines as necessary regarding the registration of sexual predators and the dissemination of information regarding sexual predators as required by this section.

(l) A sexual predator ~~shall~~ ~~must~~ maintain registration with the department for the duration of his or her life, unless the sexual predator has received a full pardon or has had a conviction set aside in a postconviction proceeding for any offense that met the criteria for the sexual predator designation.

(8) VERIFICATION.—The department and the Department of Corrections shall implement a system for verifying the addresses of sexual

predators. The system must be consistent with the provisions of the federal Adam Walsh Child Protection and Safety Act of 2006 and any other federal standards applicable to such verification or required to be met as a condition for the receipt of federal funds by the state. The Department of Corrections shall verify the addresses of sexual predators who are not incarcerated but who reside in the community under the supervision of the Department of Corrections and shall report to the department any failure by a sexual predator to comply with registration requirements. County and local law enforcement agencies, in conjunction with the department, shall verify the addresses of sexual predators who are not under the care, custody, control, or supervision of the Department of Corrections, and may verify the addresses of sexual predators who are under the care, custody, control, or supervision of the Department of Corrections. Local law enforcement agencies shall report to the department any failure by a sexual predator to comply with registration requirements.

(a) A sexual predator ~~shall~~ ~~must~~ report in person each year during the month of the sexual predator's birthday and during every third month thereafter to the sheriff's office in the county in which he or she resides or is otherwise located to reregister. The sheriff's office may determine the appropriate times and days for reporting by the sexual predator, which ~~shall~~ ~~must~~ be consistent with the reporting requirements of this paragraph. Reregistration ~~must~~ ~~shall~~ include any changes to the following information:

1. Name; social security number; age; race; sex; date of birth; height; weight; tattoos or other identifying marks; hair and eye color; address of any permanent residence and address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; if no permanent or temporary address, any transient residence within the state; address, location or description, and dates of any current or known future temporary residence within the state or out of state; ~~all~~ ~~any~~ electronic mail addresses or Internet identifiers ~~address and any instant message name~~ required to be provided pursuant to subparagraph (6)(g)5, ~~(6)(g)4~~; ~~all~~ home telephone numbers and ~~number and any~~ cellular telephone numbers ~~number~~; date and place of any employment; the ~~vehicle~~ make, model, color, vehicle identification number (VIN), and license tag number of all vehicles owned; fingerprints; palm prints; and photograph. A post office box ~~may~~ ~~shall~~ not be provided in lieu of a physical residential address. The sexual predator shall also produce his or her passport, if he or she has a passport, and, if he or she is an alien, shall produce or provide information about documents establishing his or her immigration status. The sexual predator shall also provide information about any professional licenses he or she has.

2. If the sexual predator is enrolled, employed, volunteering, or carrying on a vocation at an institution of higher education in this state, the sexual predator shall also provide to the department the name, address, and county of each institution, including each campus attended, and the sexual predator's enrollment, volunteer, or employment status.

3. If the sexual predator's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual predator shall also provide the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If the sexual predator's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual predator shall also provide the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel, or houseboat.

(b) The sheriff's office shall, within 2 working days, electronically submit and update all information provided by the sexual predator to the department in a manner prescribed by the department.

#### (10) PENALTIES.—

(a) Except as otherwise specifically provided, a sexual predator who fails to register; who fails, after registration, to maintain, acquire, or renew a driver's license or identification card; who fails to provide required location information, electronic mail address information before use, Internet identifier ~~instant message name~~ information before use, all home telephone numbers ~~number~~ and ~~any~~ cellular telephone numbers ~~number~~, or change-of-name information; who fails to make a required report in connection with

vacating a permanent residence; who fails to reregister as required; who fails to respond to any address verification correspondence from the department within 3 weeks of the date of the correspondence; who knowingly provides false registration information by act or omission; or who otherwise fails, by act or omission, to comply with the requirements of this section; commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) A sexual predator who commits any act or omission in violation of this section may be prosecuted for the act or omission in the county in which the act or omission was committed, the county of the last registered address of the sexual predator, ~~or~~ the county in which the conviction occurred for the offense or offenses that meet the criteria for designating a person as a sexual predator, in the county where the sexual predator was released from incarceration, or in the county of the intended address of the sexual predator as reported by the predator prior to his or her release from incarceration. In addition, a sexual predator may be prosecuted for any such act or omission in the county in which he or she was designated a sexual predator.

Section 3. Section 775.25, Florida Statutes, is amended to read:

775.25 Prosecutions for acts or omissions.—A sexual predator or sexual offender who commits any act or omission in violation of s. 775.21, s. 943.0435, s. 944.605, s. 944.606, s. 944.607, or former s. 947.177 may be prosecuted for the act or omission in the county in which the act or omission was committed, the county of the last registered address of the sexual predator or sexual offender, ~~or~~ the county in which the conviction occurred for the offense or offenses that meet the criteria for designating a person as a sexual predator or sexual offender, in the county where the sexual predator or sexual offender was released from incarceration, or in the county of the intended address of the sexual predator or sexual offender as reported by the predator or offender prior to his or her release from incarceration. In addition, a sexual predator may be prosecuted for any such act or omission in the county in which he or she was designated a sexual predator.

Section 4. Subsection (1) of section 943.043, Florida Statutes, is amended to read:

943.043 Toll-free telephone number; Internet notification; sexual predator and sexual offender information.—

(1) The department may notify the public through the Internet of any information regarding sexual predators and sexual offenders which is not confidential and exempt from public disclosure under s. 119.07(1) and s. 24(a), Art. I of the State Constitution. The department shall determine what information shall be made available to the public through the Internet. However, the department may not display on or disseminate through the Internet public registry maintained by the department any information regarding a vehicle that is owned by a person who is not required to register as a sexual predator or sexual offender.

Section 5. Paragraphs (a) and (g) of subsection (1), subsections (2), (4), (6), (7), (8), (9), and (11), and paragraphs (b) and (c) of subsection (14) of section 943.0435, Florida Statutes, are amended, and paragraph (h) is added to subsection (1) of that section, to read:

943.0435 Sexual offenders required to register with the department; penalty.—

(1) As used in this section, the term:

(a)1. "Sexual offender" means a person who meets the criteria in sub-subparagraph a., sub-subparagraph b., sub-subparagraph c., or sub-subparagraph d., as follows:

a.(I) Has been convicted of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes in this state or similar offenses in another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is not the victim's parent or guardian; s. 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this sub-sub-subparagraph; and

(II) Has been released on or after October 1, 1997, from the sanction imposed for any conviction of an offense described in sub-sub-subparagraph

(I). For purposes of sub-sub-subparagraph (I), a sanction imposed in this state or in any other jurisdiction includes, but is not limited to, a fine, probation, community control, parole, conditional release, control release, or incarceration in a state prison, federal prison, private correctional facility, or local detention facility;

b. Establishes or maintains a residence in this state and who has not been designated as a sexual predator by a court of this state but who has been designated as a sexual predator, as a sexually violent predator, or by another sexual offender designation in another state or jurisdiction and was, as a result of such designation, subjected to registration or community or public notification, or both, or would be if the person were a resident of that state or jurisdiction, without regard to whether the person otherwise meets the criteria for registration as a sexual offender;

c. Establishes or maintains a residence in this state who is in the custody or control of, or under the supervision of, any other state or jurisdiction as a result of a conviction for committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes or similar offense in another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is not the victim's parent or guardian; s. 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this sub-subparagraph; or

d. On or after July 1, 2007, has been adjudicated delinquent for committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes in this state or similar offenses in another jurisdiction when the juvenile was 14 years of age or older at the time of the offense:

(I) Section 794.011, excluding s. 794.011(10);

(II) Section 800.04(4)(b) where the victim is under 12 years of age or where the court finds sexual activity by the use of force or coercion;

(III) Section 800.04(5)(c)1. where the court finds molestation involving unclothed genitals; or

(IV) Section 800.04(5)(d) where the court finds the use of force or coercion and unclothed genitals.

2. For all qualifying offenses listed in sub-subparagraph (1)(a)1.d., the court shall make a written finding of the age of the offender at the time of the offense.

For each violation of a qualifying offense listed in this subsection, except for a violation of s. 794.011, the court shall make a written finding of the age of the victim at the time of the offense. For a violation of s. 800.04(4), the court shall also additionally make a written finding indicating whether that the offense involved did or did not involve sexual activity and indicating whether that the offense involved did or did not involve force or coercion. For a violation of s. 800.04(5), the court shall also additionally make a written finding that the offense did or did not involve unclothed genitals or genital area and that the offense did or did not involve the use of force or coercion.

(g) "Internet identifier instant message name" has the same meaning as provided in s. 775.21 means an identifier that allows a person to communicate in real time with another person using the Internet.

(h) "Vehicles owned" has the same meaning as provided in s. 775.21.

(2) A sexual offender shall:

(a) Report in person at the sheriff's office:

1. In the county in which the offender establishes or maintains a permanent, temporary, or transient residence within 48 hours after:

a. Establishing permanent, temporary, or transient residence in this state; or

b. Being released from the custody, control, or supervision of the Department of Corrections or from the custody of a private correctional facility; or

2. In the county where he or she was convicted within 48 hours after being convicted for a qualifying offense for registration under this section if the offender is not in the custody or control of, or under the supervision of, the



Department of Corrections, or is not in the custody of a private correctional facility.

Any change in the information required to be provided pursuant to paragraph (b), including, but not limited to, any change in the sexual offender's permanent, temporary, or transient residence, name, ~~any~~ electronic mail addresses, or Internet identifiers ~~address and any instant message name~~ required to be provided pursuant to paragraph (4)(c) ~~(4)(d)~~, after the sexual offender reports in person at the sheriff's office, ~~must~~ shall be accomplished in the manner provided in subsections (4), (7), and (8).

(b) Provide his or her name; date of birth; social security number; race; sex; height; weight; hair and eye color; tattoos or other identifying marks; fingerprints; palm prints; photograph; occupation and place of employment; address of permanent or legal residence or address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; if no permanent or temporary address, any transient residence within the state, address, location or description, and dates of any current or known future temporary residence within the state or out of state; the make, model, color, vehicle identification number (VIN), and license tag number of all vehicles owned; all home telephone numbers number and any cellular telephone numbers number; all any electronic mail addresses address and all Internet identifiers any instant message name required to be provided pursuant to paragraph (4)(c) ~~(4)(d)~~; date and place of each conviction; and a brief description of the crime or crimes committed by the offender. A post office box ~~may~~ shall not be provided in lieu of a physical residential address. The sexual offender shall also produce his or her passport, if he or she has a passport, and, if he or she is an alien, shall produce or provide information about documents establishing his or her immigration status. The sexual offender shall also provide information about any professional licenses he or she has.

1. If the sexual offender's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual offender shall also provide to the department through the sheriff's office written notice of the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If the sexual offender's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual offender shall also provide to the department written notice of the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel, or houseboat.

2. If the sexual offender is enrolled, employed, volunteering, or carrying on a vocation at an institution of higher education in this state, the sexual offender shall also provide to the department through the sheriff's office the name, address, and county of each institution, including each campus attended, and the sexual offender's enrollment, volunteer, or employment status. Each change in enrollment, volunteer, or employment status ~~must~~ shall be reported in person at the sheriff's office, within 48 hours after any change in status. The sheriff shall promptly notify each institution of the sexual offender's presence and any change in the sexual offender's enrollment, volunteer, or employment status.

3. A sexual offender shall report in person to the sheriff's office within 48 hours after any change in vehicles owned to report those vehicle information changes.

(c) Provide any other information determined necessary by the department, including criminal and corrections records; nonprivileged personnel and treatment records; and evidentiary genetic markers, when available.

When a sexual offender reports at the sheriff's office, the sheriff shall take a photograph, ~~and~~ a set of fingerprints, and palm prints of the offender and forward the photographs, palm prints, and fingerprints to the department, along with the information provided by the sexual offender. The sheriff shall promptly provide to the department the information received from the sexual offender.

(4)(a) Each time a sexual offender's ~~driver driver's~~ license or identification card is subject to renewal, and, without regard to the status of the offender's ~~driver driver's~~ license or identification card, within 48 hours after any change in the offender's permanent, temporary, or transient residence or change in the offender's name by reason of marriage or other legal process, the offender shall report in person to a ~~driver driver's~~ license office, and ~~is shall~~ be subject to the requirements specified in subsection (3). The Department of Highway Safety and Motor Vehicles shall forward to the department all photographs and information provided by sexual offenders. Notwithstanding the restrictions set forth in s. 322.142, the Department of Highway Safety and Motor Vehicles ~~may is authorized to~~ release a reproduction of a color-photograph or digital-image license to the Department of Law Enforcement for purposes of public notification of sexual offenders as provided in this section and ss. 943.043 and 944.606. A sexual offender who is unable to secure or update a driver license or identification card with the Department of Highway Safety and Motor Vehicles as provided in subsection (3) and this subsection shall also report any change in the sexual offender's permanent, temporary, or transient residence or change in the offender's name by reason of marriage or other legal process within 48 hours after the change to the sheriff's office in the county where the offender resides or is located and provide confirmation that he or she reported such information to the Department of Highway Safety and Motor Vehicles.

(b)1. A sexual offender who vacates a permanent, temporary, or transient residence and fails to establish or maintain another permanent, temporary, or transient residence shall, within 48 hours after vacating the permanent, temporary, or transient residence, report in person to the sheriff's office of the county in which he or she is located. The sexual offender shall specify the date upon which he or she intends to or did vacate such residence. The sexual offender must provide or update all of the registration information required under paragraph (2)(b). The sexual offender must provide an address for the residence or other place that he or she is or will be located during the time in which he or she fails to establish or maintain a permanent or temporary residence.

2. A sexual offender shall report in person at the sheriff's office in the county in which he or she is located within 48 hours after establishing a transient residence and thereafter must report in person every 30 days to the sheriff's office in the county in which he or she is located while maintaining a transient residence. The sexual offender must provide the addresses and locations where he or she maintains a transient residence. Each sheriff's office shall establish procedures for reporting transient residence information and provide notice to transient registrants to report transient residence information as required in this subparagraph. Reporting to the sheriff's office as required by this subparagraph does not exempt registrants from any reregistration requirement. The sheriff may coordinate and enter into agreements with police departments and other governmental entities to facilitate additional reporting sites for transient residence registration required in this subparagraph. The sheriff's office shall, within 2 business days, electronically submit and update all information provided by the sexual offender to the department.

(c) A sexual offender who remains at a permanent, temporary, or transient residence after reporting his or her intent to vacate such residence shall, within 48 hours after the date upon which the offender indicated he or she would or did vacate such residence, report in person to the agency to which he or she reported pursuant to paragraph (b) for the purpose of reporting his or her address at such residence. When the sheriff receives the report, the sheriff shall promptly convey the information to the department. An offender who makes a report as required under paragraph (b) but fails to make a report as required under this paragraph commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(d) The failure of a sexual offender who maintains a transient residence to report in person to the sheriff's office every 30 days as required in subparagraph (b)2. is punishable as provided in subsection (9).

(e)~~(d)~~ A sexual offender shall ~~must~~ register all ~~any~~ electronic mail addresses and Internet identifiers ~~address or instant message name~~ with the department before using such electronic mail addresses and Internet identifiers address or instant message name. The department shall establish an online system through which sexual offenders may securely access and

update all electronic mail address and Internet identifier instant message name information.

(6) County and local law enforcement agencies, in conjunction with the department, shall verify the addresses of sexual offenders who are not under the care, custody, control, or supervision of the Department of Corrections, and may verify the addresses of sexual offenders who are under the care, custody, control, or supervision of the Department of Corrections, in a manner that is consistent with the provisions of the federal Adam Walsh Child Protection and Safety Act of 2006 and any other federal standards applicable to such verification or required to be met as a condition for the receipt of federal funds by the state. Local law enforcement agencies shall report to the department any failure by a sexual offender to comply with registration requirements.

(7) A sexual offender who intends to establish a permanent, temporary, or transient residence in another state or jurisdiction other than the State of Florida shall report in person to the sheriff of the county of current residence within 48 hours before the date he or she intends to leave this state to establish residence in another state or jurisdiction or within 21 days before his or her planned departure date if the intended residence of 5 days or more is outside of the United States. The notification must include the address, municipality, county, ~~and state, and country~~ of intended residence. The sheriff shall promptly provide to the department the information received from the sexual offender. The department shall notify the statewide law enforcement agency, or a comparable agency, in the intended state, ~~or jurisdiction, or country of~~ residence of the sexual offender's intended residence. The failure of a sexual offender to provide his or her intended place of residence is punishable as provided in subsection (9).

(8) A sexual offender who indicates his or her intent to establish a permanent, temporary, or transient residence in another state, ~~a or jurisdiction other than the State of Florida, or another country~~ and later decides to remain in this state shall, within 48 hours after the date upon which the sexual offender indicated he or she would leave this state, report in person to the sheriff to which the sexual offender reported the intended change of permanent, temporary, or transient residence, and report his or her intent to remain in this state. The sheriff shall promptly report this information to the department. A sexual offender who reports his or her intent to establish a permanent, temporary, or transient residence in another state, ~~a or jurisdiction other than the State of Florida, or another country~~ but who remains in this state without reporting to the sheriff in the manner required by this subsection commits a felony of the second degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(9)(a) A sexual offender who does not comply with the requirements of this section commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(b) A sexual offender who commits any act or omission in violation of this section may be prosecuted for the act or omission in the county in which the act or omission was committed, the county of the last registered address of the sexual offender, ~~or the county in which the conviction occurred for the offense or offenses that meet the criteria for designating a person as a sexual offender,~~ in the county where the sexual offender was released from incarceration, or in the county of the intended address of the sexual offender as reported by the offender prior to his or her release from incarceration.

(c) An arrest on charges of failure to register when the offender has been provided and advised of his or her statutory obligations to register under subsection (2), the service of an information or a complaint for a violation of this section, or an arraignment on charges for a violation of this section constitutes actual notice of the duty to register. A sexual offender's failure to immediately register as required by this section following such arrest, service, or arraignment constitutes grounds for a subsequent charge of failure to register. A sexual offender charged with the crime of failure to register who asserts, or intends to assert, a lack of notice of the duty to register as a defense to a charge of failure to register shall immediately register as required by this section. A sexual offender who is charged with a subsequent failure to register may not assert the defense of a lack of notice of the duty to register.

(11) Except as provided in s. 943.04354, a sexual offender ~~shall must~~ maintain registration with the department for the duration of his or her life, unless the sexual offender has received a full pardon or has had a conviction

set aside in a postconviction proceeding for any offense that meets the criteria for classifying the person as a sexual offender for purposes of registration. However, a sexual offender:

(a)1. Who has been lawfully released from confinement, supervision, or sanction, whichever is later, for at least 25 years and has not been arrested for any felony or misdemeanor offense since release, provided that the sexual offender's requirement to register was not based upon an adult conviction:

a. For a violation of s. 787.01 or s. 787.02;

b. For a violation of s. 794.011, excluding s. 794.011(10);

c. For a violation of s. 800.04(4)(b) where the court finds the offense involved a victim under 12 years of age or sexual activity by the use of force or coercion;

d. For a violation of s. 800.04(5)(b);

e. For a violation of s. 800.04(5)(c)2, ~~s. 800.04(5)e.2,~~ where the court finds the offense involved the use of force or coercion and unclothed genitals or genital area;

f. For any attempt or conspiracy to commit any such offense; ~~or~~

g. For a violation of similar law of another jurisdiction; ~~or~~

h. For a violation of a similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this subparagraph.

may petition the criminal division of the circuit court of the circuit where the conviction or adjudication occurred in which the sexual offender resides for the purpose of removing the requirement for registration as a sexual offender.

2. The court may grant or deny relief if the offender demonstrates to the court that he or she has not been arrested for any crime since release; the requested relief complies with the provisions of the federal Adam Walsh Child Protection and Safety Act of 2006 and any other federal standards applicable to the removal of registration requirements for a sexual offender or required to be met as a condition for the receipt of federal funds by the state; and the court is otherwise satisfied that the offender is not a current or potential threat to public safety. The state attorney in the circuit in which the petition is filed must be given notice of the petition at least 3 weeks before the hearing on the matter. The state attorney may present evidence in opposition to the requested relief or may otherwise demonstrate the reasons why the petition should be denied. If the court denies the petition, the court may set a future date at which the sexual offender may again petition the court for relief, subject to the standards for relief provided in this subsection.

3. The department shall remove an offender from classification as a sexual offender for purposes of registration if the offender provides to the department a certified copy of the court's written findings or order that indicates that the offender is no longer required to comply with the requirements for registration as a sexual offender.

4. For purposes of this paragraph:

a. The registration period of a sexual offender sentenced to a term of incarceration or committed to a residential program begins upon the offender's release from incarceration or commitment for the most recent conviction that required the offender to register.

b. A sexual offender's registration period is tolled during any period in which the offender is incarcerated, civilly committed, detained pursuant to chapter 985, or committed to a residential program.

c. Except as provided in sub-subparagraph e., if the sexual offender is only sentenced to a term of supervision for the most recent conviction that required the offender to register as a sexual offender or is only subject to a period of supervision for that conviction, the registration period begins when the term or period of supervision for that conviction begins.

d. Except as provided in sub-subparagraph e., if the sexual offender is sentenced to a term of supervision that follows a term of incarceration for the most recent conviction that required the offender to register as a sexual offender or is subject to a period of supervision that follows commitment to a residential program for that conviction, the registration period begins when the term or period of supervision for that conviction begins.

e. If a sexual offender is sentenced to a term of more than 25 years' supervision for the most recent conviction that required the offender to register as a sexual offender, the sexual offender may not petition for removal

of the requirement for registration as a sexual offender until the term of supervision for that conviction is completed.

(b) As defined in sub-subparagraph (1)(a)1.b. must maintain registration with the department for the duration of his or her life until the person provides the department with an order issued by the court that designated the person as a sexual predator, as a sexually violent predator, or by another sexual offender designation in the state or jurisdiction in which the order was issued which states that such designation has been removed or demonstrates to the department that such designation, if not imposed by a court, has been removed by operation of law or court order in the state or jurisdiction in which the designation was made, and provided such person no longer meets the criteria for registration as a sexual offender under the laws of this state.

(14)

(b) However, a sexual offender who is required to register as a result of a conviction for:

1. Section 787.01 or s. 787.02 where the victim is a minor and the offender is not the victim's parent or guardian;
2. Section 794.011, excluding s. 794.011(10);
3. Section 800.04(4)(b) where the court finds the offense involved a victim under 12 years of age or sexual activity by the use of force or coercion;
4. Section 800.04(5)(b);
5. Section 800.04(5)(c)1. where the court finds molestation involving unclothed genitals or genital area;
6. Section 800.04(5)(c)2. ~~800.04(5)c.2.~~ where the court finds molestation involving the use of force or coercion and unclothed genitals or genital area;
7. Section 800.04(5)(d) where the court finds the use of force or coercion and unclothed genitals or genital area;
8. Any attempt or conspiracy to commit such offense; ~~or~~
9. A violation of a similar law of another jurisdiction; ~~or~~
10. A violation of a similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this paragraph.

must reregister each year during the month of the sexual offender's birthday and every third month thereafter.

(c) The sheriff's office may determine the appropriate times and days for reporting by the sexual offender, which must shall be consistent with the reporting requirements of this subsection. Reregistration must shall include any changes to the following information:

1. Name; social security number; age; race; sex; date of birth; height; weight; tattoos or other identifying marks; hair and eye color; address of any permanent residence and address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; if no permanent or temporary address, any transient residence within the state; address, location or description, and dates of any current or known future temporary residence within the state or out of state; all any electronic mail addresses or Internet identifiers ~~address and any instant message name~~ required to be provided pursuant to paragraph (4)(e) ~~(4)(d);~~ all home telephone numbers and number and any cellular telephone numbers number; date and place of any employment; the vehicle make, model, color, vehicle identification number (VIN), and license tag number of all vehicles owned; fingerprints; palm prints; and photograph. A post office box may shall not be provided in lieu of a physical residential address. The sexual offender shall also produce his or her passport, if he or she has a passport, and, if he or she is an alien, shall produce or provide information about documents establishing his or her immigration status. The sexual offender shall also provide information about any professional licenses he or she has.

2. If the sexual offender is enrolled, volunteering, employed, or carrying on a vocation at an institution of higher education in this state, the sexual offender shall also provide to the department the name, address, and county of each institution, including each campus attended, and the sexual offender's enrollment, volunteer, or employment status.

3. If the sexual offender's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual offender shall also provide the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If the sexual

offender's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual offender shall also provide the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel or houseboat.

4. Any sexual offender who fails to report in person as required at the sheriff's office, ~~or~~ who fails to respond to any address verification correspondence from the department within 3 weeks of the date of the correspondence, ~~or~~ who fails to report all electronic mail addresses and all Internet identifiers prior to use or instant message names, or who knowingly provides false registration information by act or omission commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 6. Section 943.04354, Florida Statutes, is amended to read:

943.04354 Removal of the requirement to register as a sexual offender or sexual predator in special circumstances.—

(1) For purposes of this section, a person shall be considered for removal of the requirement to register as a sexual offender or sexual predator only if the person:

(a) Was or will be convicted, regardless of adjudication, or adjudicated delinquent of a violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0135(5) or of a similar offense in another jurisdiction or the person committed a violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0135(5) for which adjudication of guilt was or will be withheld; and if the person does not have any other conviction, regardless of adjudication, or adjudication of delinquency, or withhold of adjudication of guilt for a violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0135(5) or for a similar offense in another jurisdiction;

(b)1. Was convicted, regardless of adjudication, or adjudicated delinquent of an offense listed in paragraph (a) and is required to register as a sexual offender or sexual predator solely on the basis of this conviction or adjudication; or violation; and

2. Was convicted, regardless of adjudication, or adjudicated delinquent of an offense in another jurisdiction which is similar to an offense listed in paragraph (a) and no longer meets the criteria for registration as a sexual offender or sexual predator under the laws of the jurisdiction in which the similar offense occurred; and

(c) Is not more than 4 years older than the victim of this violation who was ~~13 14~~ years of age or older but younger not more than 18 17 years of age at the time the person committed this violation.

(2) If a person meets the criteria in subsection (1) ~~and the violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0135(5) was committed on or after July 1, 2007,~~ the person may move the criminal division of the circuit court of the circuit where the conviction or adjudication for the qualifying offense occurred ~~court that will sentence or dispose of this violation~~ to remove the requirement that the person register as a sexual offender or sexual predator. The person must allege in the motion that he or she meets the criteria in subsection (1) and that removal of the registration requirement will not conflict with federal law. A person convicted or adjudicated delinquent of an offense in another jurisdiction which is similar to an offense listed in paragraph (1)(a) must provide the court written confirmation that he or she is not required to register in the jurisdiction in which the conviction or adjudication occurred. The state attorney and the department must be given notice of the motion at least 21 days before the date of sentencing, or disposition of the this violation, or hearing on the motion and may present evidence in opposition to the requested relief or may otherwise demonstrate why the motion should be denied. At sentencing, or disposition of the this violation, or hearing on the motion, the court shall rule on the this motion, and, if the court determines the person meets the criteria in subsection (1) and the removal of the registration requirement will not conflict with federal law, it may grant the motion and order the removal of the registration requirement. The court shall instruct the person to provide the department a certified copy of the order granting relief. If the court denies the motion, the person is not authorized under this section to file another motion petition for removal of the registration requirement.

(3)(a) ~~This subsection applies to a person who:~~

1. ~~Is not a person described in subsection (2) because the violation of s. 794.011, s. 800.04, or s. 827.071 was not committed on or after July 1, 2007;~~

2. ~~Is subject to registration as a sexual offender or sexual predator for a violation of s. 794.011, s. 800.04, or s. 827.071; and~~

3. ~~Meets the criteria in subsection (1).~~

(b) ~~A person may petition the court in which the sentence or disposition for the violation of s. 794.011, s. 800.04, or s. 827.071 occurred for removal of the requirement to register as a sexual offender or sexual predator. The person must allege in the petition that he or she meets the criteria in subsection (1) and removal of the registration requirement will not conflict with federal law. The state attorney must be given notice of the petition at least 21 days before the hearing on the petition and may present evidence in opposition to the requested relief or may otherwise demonstrate why the petition should be denied. The court shall rule on the petition and, if the court determines the person meets the criteria in subsection (1) and removal of the registration requirement will not conflict with federal law, it may grant the petition and order the removal of the registration requirement. If the court denies the petition, the person is not authorized under this section to file any further petition for removal of the registration requirement.~~

(3)(4) If a person provides to the Department of Law Enforcement a certified copy of the court's order removing the requirement that the person register as a sexual offender or sexual predator for the violation of s. 794.011, s. 800.04, s. 827.071, or s. 847.0135(5), or a similar offense in another jurisdiction, the registration requirement will not apply to the person and the department shall remove all information about the person from the public registry of sexual offenders and sexual predators maintained by the department. However, the removal of this information from the public registry does not mean that the public is denied access to information about the person's criminal history or record that is otherwise available as a public record.

Section 7. Subsections (2) and (3) of section 943.0437, Florida Statutes, are amended to read:

943.0437 Commercial social networking websites.—

(2) The department may provide information relating to electronic mail addresses and Internet identifiers, as defined in s. 775.21, ~~instant message names~~ maintained as part of the sexual offender registry to commercial social networking websites or third parties designated by commercial social networking websites. The commercial social networking website may use this information for the purpose of comparing registered users and screening potential users of the commercial social networking website against the list of electronic mail addresses and Internet identifiers ~~instant message names~~ provided by the department.

(3) This section ~~does not shall not be construed to~~ impose any civil liability on a commercial social networking website for:

(a) Any action voluntarily taken in good faith to remove or disable any profile of a registered user associated with an electronic mail address or Internet identifier ~~instant message name~~ contained in the sexual offender registry.

(b) Any action taken to restrict access by such registered user to the commercial social networking website.

Section 8. Paragraphs (b) and (d) of subsection (1) and paragraph (a) of subsection (3) of section 944.606, Florida Statutes, are amended to read:

944.606 Sexual offenders; notification upon release.—

(1) As used in this section:

(b) "Sexual offender" means a person who has been convicted of committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes in this state or similar offenses in another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is not the victim's parent or guardian; s. 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this subsection, when the department has received verified

information regarding such conviction; an offender's computerized criminal history record is not, in and of itself, verified information.

(d) "Internet identifier" has the same meaning as provided in s. 775.21 ~~"Instant message name" means an identifier that allows a person to communicate in real time with another person using the Internet.~~

(3)(a) The department shall ~~must~~ provide information regarding any sexual offender who is being released after serving a period of incarceration for any offense, as follows:

1. The department shall ~~must~~ provide: the sexual offender's name, any change in the offender's name by reason of marriage or other legal process, and any alias, if known; the correctional facility from which the sexual offender is released; the sexual offender's social security number, race, sex, date of birth, height, weight, and hair and eye color; tattoos or other identifying marks; address of any planned permanent residence or temporary residence, within the state or out of state, including a rural route address and a post office box; if no permanent or temporary address, any transient residence within the state; address, location or description, and dates of any known future temporary residence within the state or out of state; date and county of sentence and each crime for which the offender was sentenced; a copy of the offender's fingerprints, palm prints, and a digitized photograph taken within 60 days before release; the date of release of the sexual offender; all ~~any~~ electronic mail addresses ~~address~~ and all Internet identifiers ~~any instant message name~~ required to be provided pursuant to s. 943.0435(4)(e) ~~943.0435(4)(d)~~; all ~~and~~ home telephone numbers ~~number~~ and any cellular telephone numbers; information about any professional licenses the offender has, if known; and passport information, if he or she has a passport, and, if he or she is an alien, information about documents establishing his or her immigration status ~~number~~. The department shall notify the Department of Law Enforcement if the sexual offender escapes, absconds, or dies. If the sexual offender is in the custody of a private correctional facility, the facility shall take the digitized photograph of the sexual offender within 60 days before the sexual offender's release and provide this photograph to the Department of Corrections and also place it in the sexual offender's file. If the sexual offender is in the custody of a local jail, the custodian of the local jail shall register the offender within 3 business days after intake of the offender for any reason and upon release, and shall notify the Department of Law Enforcement of the sexual offender's release and provide to the Department of Law Enforcement the information specified in this paragraph and any information specified in subparagraph 2. that the Department of Law Enforcement requests.

2. The department may provide any other information deemed necessary, including criminal and corrections records, nonprivileged personnel and treatment records, when available.

Section 9. Present paragraphs (a) and (f) of subsection (1), subsection (4), and paragraphs (b) and (c) of subsection (13) of section 944.607, Florida Statutes, are amended, paragraphs (b) through (e) of subsection (1) are redesignated as paragraphs (c) through (f), respectively, and a new paragraph (b) is added to that subsection, to read:

944.607 Notification to Department of Law Enforcement of information on sexual offenders.—

(1) As used in this section, the term:

(a) "Sexual offender" means a person who is in the custody or control of, or under the supervision of, the department or is in the custody of a private correctional facility:

1. On or after October 1, 1997, as a result of a conviction for committing, or attempting, soliciting, or conspiring to commit, any of the criminal offenses proscribed in the following statutes in this state or similar offenses in another jurisdiction: s. 393.135(2); s. 394.4593(2); s. 787.01, s. 787.02, or s. 787.025(2)(c), where the victim is a minor and the defendant is not the victim's parent or guardian; s. 787.06(3)(b), (d), (f), (g), or (h); s. 794.011, excluding s. 794.011(10); s. 794.05; s. 796.03; s. 796.035; s. 800.04; s. 810.145(8); s. 825.1025; s. 827.071; s. 847.0133; s. 847.0135, excluding s. 847.0135(6); s. 847.0137; s. 847.0138; s. 847.0145; s. 916.1075(2); or s. 985.701(1); or any similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this paragraph; or

2. Who establishes or maintains a residence in this state and who has not been designated as a sexual predator by a court of this state but who has been designated as a sexual predator, as a sexually violent predator, or by another sexual offender designation in another state or jurisdiction and was, as a result of such designation, subjected to registration or community or public notification, or both, or would be if the person were a resident of that state or jurisdiction, without regard as to whether the person otherwise meets the criteria for registration as a sexual offender.

(b) "Vehicles owned" has the same meaning as provided in s. 775.21.

(g)(~~f~~) "Internet identifier" has the same meaning as provided in s. 775.21. ~~"Instant message name" means an identifier that allows a person to communicate in real time with another person using the Internet.~~

(4) A sexual offender, as described in this section, who is under the supervision of the Department of Corrections but is not incarcerated shall ~~must~~ register with the Department of Corrections within 3 business days after sentencing for a registrable offense and otherwise provide information as required by this subsection.

(a) The sexual offender shall provide his or her name; date of birth; social security number; race; sex; height; weight; hair and eye color; tattoos or other identifying marks; all any electronic mail ~~addresses~~ address and Internet identifiers ~~any instant message name~~ required to be provided pursuant to s. 943.0435(4)(e) ~~943.0435(4)(d)~~; all home telephone numbers and cellular telephone numbers; the make, model, color, vehicle identification number (VIN), and license tag number of all vehicles owned; permanent or legal residence and address of temporary residence within the state or out of state while the sexual offender is under supervision in this state, including any rural route address or post office box; if no permanent or temporary address, any transient residence within the state; and address, location or description, and dates of any current or known future temporary residence within the state or out of state. The sexual offender shall also produce his or her passport, if he or she has a passport, and, if he or she is an alien, shall produce or provide information about documents establishing his or her immigration status. The sexual offender shall also provide information about any professional licenses he or she has. The Department of Corrections shall verify the address of each sexual offender in the manner described in ss. 775.21 and 943.0435. The department shall report to the Department of Law Enforcement any failure by a sexual predator or sexual offender to comply with registration requirements.

(b) If the sexual offender is enrolled, employed, volunteering, or carrying on a vocation at an institution of higher education in this state, the sexual offender shall provide the name, address, and county of each institution, including each campus attended, and the sexual offender's enrollment, volunteer, or employment status. Each change in enrollment, volunteer, or employment status must ~~shall~~ be reported to the department within 48 hours after the change in status. The Department of Corrections shall promptly notify each institution of the sexual offender's presence and any change in the sexual offender's enrollment, volunteer, or employment status.

(c) A sexual offender shall report in person to the sheriff's office within 48 hours after any change in vehicles owned to report those vehicle information changes.

(13)

(b) However, a sexual offender who is required to register as a result of a conviction for:

1. Section 787.01 or s. 787.02 where the victim is a minor and the offender is not the victim's parent or guardian;
2. Section 794.011, excluding s. 794.011(10);
3. Section 800.04(4)(b) where the victim is under 12 years of age or where the court finds sexual activity by the use of force or coercion;
4. Section 800.04(5)(b);
5. Section 800.04(5)(c)1. where the court finds molestation involving unclothed genitals or genital area;
6. Section 800.04(5)(c)2. ~~800.04(5)c.2.~~ where the court finds molestation involving use of force or coercion and unclothed genitals or genital area;
7. Section 800.04(5)(d) where the court finds the use of force or coercion and unclothed genitals or genital area;
8. Any attempt or conspiracy to commit such offense; ~~or~~
9. A violation of a similar law of another jurisdiction; or

10. A violation of a similar offense committed in this state which has been redesignated from a former statute number to one of those listed in this paragraph.

must reregister each year during the month of the sexual offender's birthday and every third month thereafter.

(c) The sheriff's office may determine the appropriate times and days for reporting by the sexual offender, which must ~~shall~~ be consistent with the reporting requirements of this subsection. Reregistration must ~~shall~~ include any changes to the following information:

1. Name; social security number; age; race; sex; date of birth; height; weight; tattoos or other identifying marks; hair and eye color; address of any permanent residence and address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; if no permanent or temporary address, any transient residence; address, location or description, and dates of any current or known future temporary residence within the state or out of state; all any electronic mail ~~addresses~~ address and Internet identifiers ~~address and any instant message name~~ required to be provided pursuant to s. 943.0435(4)(e) ~~943.0435(4)(d)~~; all home telephone numbers and cellular telephone numbers; date and place of any employment; the vehicle make, model, color, vehicle identification number (VIN), and license tag number of all vehicles owned; fingerprints; palm prints; and photograph. A post office box may ~~shall~~ not be provided in lieu of a physical residential address. The sexual offender shall also produce his or her passport, if he or she has a passport, and, if he or she is an alien, shall produce or provide information about documents establishing his or her immigration status. The sexual offender shall also provide information about any professional licenses he or she has.

2. If the sexual offender is enrolled, employed, volunteering, or carrying on a vocation at an institution of higher education in this state, the sexual offender shall also provide to the department the name, address, and county of each institution, including each campus attended, and the sexual offender's enrollment, volunteer, or employment status.

3. If the sexual offender's place of residence is a motor vehicle, trailer, mobile home, or manufactured home, as defined in chapter 320, the sexual offender shall also provide the vehicle identification number; the license tag number; the registration number; and a description, including color scheme, of the motor vehicle, trailer, mobile home, or manufactured home. If the sexual offender's place of residence is a vessel, live-aboard vessel, or houseboat, as defined in chapter 327, the sexual offender shall also provide the hull identification number; the manufacturer's serial number; the name of the vessel, live-aboard vessel, or houseboat; the registration number; and a description, including color scheme, of the vessel, live-aboard vessel or houseboat.

4. Any sexual offender who fails to report in person as required at the sheriff's office, ~~or~~ who fails to respond to any address verification correspondence from the department within 3 weeks of the date of the correspondence, ~~or~~ who fails to report all electronic mail addresses or Internet identifiers prior to use or instant message names, or who knowingly provides false registration information by act or omission commits a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

Section 10. Paragraph (b) of subsection (1) of section 985.481, Florida Statutes, is redesignated as paragraph (c), new paragraphs (b) and (d) are added to that subsection, and paragraph (a) of subsection (3) of that section is amended, to read:

985.481 Sexual offenders adjudicated delinquent; notification upon release.—

(1) As used in this section:

(a) "Convicted" has the same meaning as provided in s. 943.0435.

(b) "Internet identifier" has the same meaning as provided in s. 775.21.

(c)(~~b~~) "Sexual offender" means a person who has been adjudicated delinquent as provided in s. 943.0435(1)(a)1.d.

(d) "Vehicles owned" has the same meaning as provided in s. 775.21.

(3)(a) The department shall ~~must~~ provide information regarding any sexual offender who is being released after serving a period of residential commitment under the department for any offense, as follows:

1. The department ~~shall must~~ provide the sexual offender's name, any change in the offender's name by reason of marriage or other legal process, and any alias, if known; the correctional facility from which the sexual offender is released; the sexual offender's social security number, race, sex, date of birth, height, weight, and hair and eye color; tattoos or other identifying marks; the make, model, color, vehicle identification number (VIN), and license tag number of all vehicles owned; address of any planned permanent residence or temporary residence, within the state or out of state, including a rural route address and a post office box; if no permanent or temporary address, any transient residence within the state; address, location or description, and dates of any known future temporary residence within the state or out of state; date and county of disposition and each crime for which there was a disposition; a copy of the offender's fingerprints, palm prints, and a digitized photograph taken within 60 days before release; the date of release of the sexual offender; ~~all and~~ home telephone numbers number and any cellular telephone numbers; all Internet identifiers; information about any professional licenses the offender has, if known; and passport information, if he or she has a passport, and, if he or she is an alien, information about documents establishing his or her immigration status number. The department shall notify the Department of Law Enforcement if the sexual offender escapes, absconds, or dies. If the sexual offender is in the custody of a private correctional facility, the facility shall take the digitized photograph of the sexual offender within 60 days before the sexual offender's release and also place it in the sexual offender's file. If the sexual offender is in the custody of a local jail, the custodian of the local jail shall register the offender within 3 business days after intake of the offender for any reason and upon release, and shall notify the Department of Law Enforcement of the sexual offender's release and provide to the Department of Law Enforcement the information specified in this subparagraph and any information specified in subparagraph 2. which the Department of Law Enforcement requests.

2. The department may provide any other information considered necessary, including criminal and delinquency records, when available.

Section 11. Paragraph (d) of subsection (1) of section 985.4815, Florida Statutes, is redesignated as paragraph (e), new paragraphs (d) and (f) are added to that subsection, and subsection (4) and paragraph (b) of subsection (13) of that section are amended, to read:

985.4815 Notification to Department of Law Enforcement of information on juvenile sexual offenders.—

(1) As used in this section, the term:

(a) "Change in enrollment or employment status" means the commencement or termination of enrollment or employment or a change in location of enrollment or employment.

(b) "Conviction" has the same meaning as provided in s. 943.0435.

(c) "Institution of higher education" means a career center, community college, college, state university, or independent postsecondary institution.

(d) "Internet identifier" has the same meaning as provided in s. 775.21.

(e)(~~d~~) "Sexual offender" means a person who is in the care or custody or under the jurisdiction or supervision of the department or is in the custody of a private correctional facility and who:

1. Has been adjudicated delinquent as provided in s. 943.0435(1)(a)1.d.; or

2. Establishes or maintains a residence in this state and has not been designated as a sexual predator by a court of this state but has been designated as a sexual predator, as a sexually violent predator, or by another sexual offender designation in another state or jurisdiction and was, as a result of such designation, subjected to registration or community or public notification, or both, or would be if the person were a resident of that state or jurisdiction, without regard to whether the person otherwise meets the criteria for registration as a sexual offender.

(f) "Vehicles owned" has the same meaning as provided in s. 775.21.

(4) A sexual offender, as described in this section, who is under the supervision of the department but who is not committed ~~shall must~~ register with the department within 3 business days after adjudication and disposition for a registrable offense and otherwise provide information as required by this subsection.

(a) The sexual offender shall provide his or her name; date of birth; social security number; race; sex; height; weight; hair and eye color; tattoos or other identifying marks; the make, model, color, vehicle identification number

(VIN), and license tag number of all vehicles owned; permanent or legal residence and address of temporary residence within the state or out of state while the sexual offender is in the care or custody or under the jurisdiction or supervision of the department in this state, including any rural route address or post office box; if no permanent or temporary address, any transient residence; address, location or description, and dates of any current or known future temporary residence within the state or out of state; all home telephone and cellular telephone numbers; all Internet identifiers; and the name and address of each school attended. The sexual offender shall also produce his or her passport, if he or she has a passport, and, if he or she is an alien, shall produce or provide information about documents establishing his or her immigration status. The offender shall also provide information about any professional licenses he or she has. The department shall verify the address of each sexual offender and shall report to the Department of Law Enforcement any failure by a sexual offender to comply with registration requirements.

(b) If the sexual offender is enrolled, employed, volunteering, or carrying on a vocation at an institution of higher education in this state, the sexual offender shall provide the name, address, and county of each institution, including each campus attended, and the sexual offender's enrollment, volunteer, or employment status. Each change in enrollment, volunteer, or employment status ~~must shall~~ be reported to the department within 48 hours after the change in status. The department shall promptly notify each institution of the sexual offender's presence and any change in the sexual offender's enrollment, volunteer, or employment status.

(c) A sexual offender shall report in person to the sheriff's office within 48 hours after any change in vehicles owned to report those vehicle information changes.

(13)

(b) The sheriff's office may determine the appropriate times and days for reporting by the sexual offender, which ~~must shall~~ be consistent with the reporting requirements of this subsection. Reregistration ~~must shall~~ include any changes to the following information:

1. Name; social security number; age; race; sex; date of birth; height; weight; hair and eye color; tattoos or other identifying marks; fingerprints; palm prints; address of any permanent residence and address of any current temporary residence, within the state or out of state, including a rural route address and a post office box; if no permanent or temporary address, any transient residence; address, location or description, and dates of any current or known future temporary residence within the state or out of state; passport information, if he or she has a passport, and, if he or she is an alien, information about documents establishing his or her immigration status; all home telephone numbers and cellular

#### TITLE AMENDMENT

Remove lines 40-72 and insert:

specified time; authorizing county and local law enforcement agencies to verify the addresses of registrants under the care, custody, control, or supervision of the Department of Corrections; providing criminal penalties for knowingly providing false registration information by act or omission; authorizing additional venues for prosecution of registration violations; conforming provisions to changes made by the act; amending s. 775.25, F.S.; authorizing additional venues for prosecution of registration violations; amending s. 943.043, F.S.; prohibiting display or dissemination of certain vehicle information on the Internet public registry of sexual predators and offenders; amending s. 943.0435, F.S.; adding additional offenses to the list of sexual offender qualifying offenses; revising definitions; requiring disclosure of additional sexual offender registration information; requiring reporting of transient residence information within specified time periods; requiring sheriffs to establish procedures for reporting transient residence information; authorizing sheriffs to enter into agreements for reporting transient residence information; providing a criminal penalty for failure to report transient residence information; requiring that a sexual offender who is unable to secure or update a driver license or identification card within a specified period report a change in certain information to the local sheriff's office within a specified period of time of such change and confirm that he or

she also reported such information to the Department of Highway Safety and Motor Vehicles; authorizing county and local law enforcement agencies to verify the addresses of registrants under the care, custody, control, or

Rep. Eagle moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**CS/HB 7027** was taken up. On motion by Rep. Gaetz, the House agreed to substitute CS for CS for CS for SB 526 for CS/HB 7027 and read CS for CS for CS for SB 526 the second time by title. Under Rule 5.13, the House bill was laid on the table.

**CS for CS for CS for SB 526**—A bill to be entitled An act relating to sexual offenses; amending s. 92.55, F.S.; authorizing orders limiting testimony in open court and in depositions if the victim or witness was a child under 16 years of age when a specified sexual offense occurred; authorizing the court to set other conditions appropriate to taking the testimony of this victim or witness; amending s. 775.15, F.S.; eliminating time limitations to the prosecution of specified criminal offenses relating to lewd or lascivious battery or molestation if the victim was younger than 16 years of age at the time of the offense; specifying an exception; providing applicability; amending s. 794.011, F.S.; revising and creating offenses involving sexual battery; increasing felony degree of certain sexual battery offenses; amending s. 794.0115, F.S.; imposing a 50-year minimum mandatory sentence for dangerous sexual felony offenders; amending s. 794.05, F.S.; revising definition of the term "sexual activity;" amending s. 800.04, F.S.; revising and creating offenses involving lewd or lascivious battery and molestation; increasing felony degree of certain lewd or lascivious battery and molestation offenses; amending s. 810.14, F.S.; providing that voyeurism includes secretly observing another person's intimate areas in which the person has a reasonable expectation of privacy, when the other person is located in a public or private dwelling, structure, or conveyance; defining the term "intimate area"; amending s. 921.0022, F.S.; assigning offense severity rankings for new lewd or lascivious battery and molestation offenses and sexual battery offenses; amending s. 921.0024, F.S.; providing that sentence points are multiplied for specified sex offenses committed by an adult upon a minor under certain circumstances; amending ss. 943.0435 and 944.607, F.S.; conforming provisions to changes made by the act; amending s. 944.275, F.S.; prohibiting award of gain-time for certain offenses; amending s. 947.1405, F.S.; providing for tolling of conditional release supervision; providing applicability; amending ss. 947.1405 and 948.30, F.S.; prohibiting certain conditional releasees, probationers, or community controllees from viewing, accessing, owning, or possessing any obscene, pornographic, or sexually stimulating material; providing exceptions; amending s. 948.012, F.S.; requiring split sentence for certain sexual offenses; providing for tolling of probation or community control; amending s. 948.31, F.S.; authorizing the court to require a sexual offender or sexual predator who is on probation or community control to undergo an evaluation to determine whether the offender or predator needs sexual offender treatment; requiring the probationer or community controllee to pay for the treatment; removing a provision prohibiting contact with minors if sexual offender treatment is recommended; providing applicability; providing severability; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**HB 7073**—A bill to be entitled An act relating to information technology governance; transferring the Agency for Enterprise Information Technology to the Agency for State Technology; voiding certain rules of the Agency for Enterprise Information Technology; transferring the Northwood Shared Resource Center and Southwood Shared Resource Center to the Agency for State Technology; repealing s. 14.204, F.S., relating to creation of the Agency for Enterprise Information Technology; amending s. 20.055, F.S.; revising the term "state agency" to include the Agency for State Technology for purposes of provisions relating to agency inspectors general; creating s. 20.61, F.S.;

creating the Agency for State Technology; providing that executive director shall serve as the state's chief information officer; establishing certain agency positions; establishing the Technology Advisory Council; providing for membership and duties of the council; amending s. 215.96, F.S.; requiring the executive director of the Agency for State Technology to serve on an information subsystem coordinating council established by the Chief Financial Officer; amending s. 216.023, F.S.; requiring certain legislative budget requests to include certain project management and oversight standards; amending s. 282.0041, F.S.; revising, creating, and deleting definitions used in the Enterprise Information Technology Services Management Act; creating s. 282.0051, F.S.; providing powers, duties, and functions of the Agency for State Technology; authorizing the agency to adopt rules; repealing ss. 282.0055 and 282.0056, F.S., relating to various duties of the Agency for Enterprise Information Technology; amending s. 282.201, F.S., relating to the state data center system; establishing a state data center within the Agency for State Technology; requiring the agency to provide data center services; requiring state agencies to provide certain information; revising schedules for consolidation of state agency data centers and computing facilities into the state data center; revising exemptions from consolidation; revising limitations on state agency computing facilities and data centers; repealing s. 48 of chapter 2013-41, Laws of Florida, relating to agency data center consolidation schedules; repealing ss. 282.203, 282.204, and 282.205, F.S., relating to primary data centers, the Northwood Shared Resource Center, and the Southwood Shared Resource Center, respectively; amending s. 282.318, F.S.; changing the name of the Enterprise Security of Data and Information Technology Act; defining the term "agency" as used in the act; requiring the Agency for State Technology to establish and publish certain security standards and processes; requiring state agencies to perform certain security-related duties; requiring the agency to adopt rules; conforming provisions; repealing s. 282.33, F.S., relating to standards for data center energy efficiency; repealing s. 282.34, F.S., relating to the planning and provision of a statewide e-mail service; creating s. 287.0591, F.S.; limiting the terms of certain competitive solicitations for information technology commodities; providing an exception; amending s. 943.0415, F.S.; providing additional duties of the Cybercrime Office of the Department of Law Enforcement; requiring the office to coordinate with the Agency for State Technology in the adoption of specified rules; amending s. 1004.649, F.S.; revising provisions regarding service-level agreements entered into by the Northwest Regional Data Center; conforming provisions; amending ss. 17.0315, 110.205, 215.322, 287.057, 327.301, 445.011, 445.045, and 668.50, F.S.; conforming provisions to changes made by the act; requiring the Agency for State Technology to conduct a study and submit a report to the Governor and Legislature; creating a state data center task force; providing for membership, duties, and abolishment of the task force; providing appropriations and authorizing positions; providing effective dates.

—was read the second time by title.

Representative McKeel offered the following:

(Amendment Bar Code: 001445)

**Amendment 1 (with title amendment)**—Remove everything after the enacting clause and insert:

Section 1. (1) All records, property, pending issues and existing contracts, administrative authority, administrative rules in chapters 71A-1 and 71A-2, Florida Administrative Code, in effect as of November 15, 2010, trust funds, and unexpended balances of appropriations, allocations, and other funds of the Agency for Enterprise Information Technology are transferred by a type two transfer pursuant to s. 20.06(2), Florida Statutes, to the Agency for State Technology established pursuant to s. 20.61, Florida Statutes, as created by this act.

(2) Except for those rules in chapters 71A-1 and 71A-2, Florida Administrative Code, transferred pursuant to subsection (1), any other rules adopted by the Agency for Enterprise Information Technology, if any, are void.

Section 2. The Northwood Shared Resource Center is transferred by a type two transfer, pursuant to s. 20.06, Florida Statutes, from the Department of Management Services to the Agency for State Technology. Any binding contract or interagency agreement entered into and between the Northwood Shared Resource Center or an entity or agent of the center and any other agency, entity, or person shall continue as a binding contract or agreement of the Agency for State Technology for the remainder of the term of such contract or agreement.

Section 3. The Southwood Shared Resource Center is transferred by a type two transfer, pursuant to s. 20.06, Florida Statutes, from the Department of Management Services to the Agency for State Technology. Any binding contract or interagency agreement entered into and between the Southwood Shared Resource Center or an entity or agent of the center and any other agency, entity, or person shall continue as a binding contract or agreement of the Agency for State Technology for the remainder of the term of such contract or agreement.

Section 4. Section 14.204, Florida Statutes, is repealed.

Section 5. Subsection (1) of section 20.055, Florida Statutes, is reordered and amended to read:

20.055 Agency inspectors general.—

(1) As used in ~~For the purposes of~~ this section, the term:

(a) ~~(b)~~ "Agency head" means the Governor, a Cabinet officer, or a secretary as defined in s. 20.03(5), or an executive director as those terms are defined in s. 20.03. ~~(6) It also includes the chair of the Public Service Commission, the Director of the Office of Insurance Regulation of the Financial Services Commission, the Director of the Office of Financial Regulation of the Financial Services Commission, the board of directors of the Florida Housing Finance Corporation, and the Chief Justice of the State Supreme Court.~~

(b) ~~(d)~~ "Entities contracting with the state" means for-profit and not-for-profit organizations or businesses that have ~~having~~ a legal existence, such as corporations or partnerships, as opposed to natural persons, which have entered into a relationship with a state agency as defined in paragraph (a) to provide for consideration certain goods or services to the state agency or on behalf of the state agency. The relationship may be evidenced by payment by warrant or purchasing card, contract, purchase order, provider agreement, or other such mutually agreed upon relationship. ~~The term This definition does not apply to entities that which are the subject of audits or investigations conducted pursuant to ss. 112.3187-112.31895 or s. 409.913 or which are otherwise confidential and exempt under s. 119.07.~~

(c) "Individuals substantially affected" means natural persons who have established a real and sufficiently immediate injury in fact due to the findings, conclusions, or recommendations of a final report of a state agency inspector general, who are the subject of the audit or investigation, and who do not have or are not currently afforded an existing right to an independent review process. The term does not apply to employees of the state, including career service, probationary, other personal service, Selected Exempt Service, and Senior Management Service employees; ~~are not covered by this definition. This definition also does not cover~~ former employees of the state if the final report of the state agency inspector general relates to matters arising during a former employee's term of state employment; ~~or. This definition does not apply to~~ persons who are the subject of audits or investigations conducted pursuant to ss. 112.3187-112.31895 or s. 409.913 or which are otherwise confidential and exempt under s. 119.07.

(d) ~~(a)~~ "State agency" means each department created pursuant to this chapter; ~~and also includes the Executive Office of the Governor, the Department of Military Affairs, the Fish and Wildlife Conservation Commission, the Office of Insurance Regulation of the Financial Services Commission, the Office of Financial Regulation of the Financial Services Commission, the Public Service Commission, the Board of Governors of the State University System, the Florida Housing Finance Corporation, the Agency for State Technology, and the state courts system.~~

Section 6. Section 20.61, Florida Statutes, is created to read:

20.61 Agency for State Technology.—The Agency for State Technology is created within the Department of Management Services. The agency is a separate budget program and is not subject to control, supervision, or direction by the Department of Management Services, including, but not

limited to, purchasing, transactions involving real or personal property, personnel, or budgetary matters.

(1)(a) The executive director of the agency shall serve as the state's chief information officer and shall be appointed by the Governor, subject to confirmation by the Senate.

(b) The executive director must be a proven, effective administrator who preferably has executive-level experience in both the public and private sectors in development and implementation of information technology strategic planning; management of enterprise information technology projects, particularly management of large-scale consolidation projects; and development and implementation of fiscal and substantive information technology policy.

(2) The following positions are established within the agency, all of whom shall be appointed by the executive director:

(a) Deputy executive director, who shall serve as the deputy chief information officer.

(b) Chief planning officer and six strategic planning coordinators. One coordinator shall be assigned to each of the following major program areas: health and human services, education, government operations, criminal and civil justice, agriculture and natural resources, and transportation and economic development.

(c) Chief operations officer.

(d) Chief information security officer.

(e) Chief technology officer.

(3) The Technology Advisory Council, consisting of seven members, is established within the Agency for State Technology and shall be maintained pursuant to s. 20.052. Four members of the council shall be appointed by the Governor, two of whom must be from the private sector. The President of the Senate and the Speaker of the House of Representatives shall each appoint one member of the council. The Attorney General, the Commissioner of Agriculture and Consumer Services, and the Chief Financial Officer shall jointly appoint one member by agreement of a majority of these officers. Upon initial establishment of the council, two of the Governor's appointments shall be for 2-year terms. Thereafter, all appointments shall be for 4-year terms.

(a) The council shall consider and make recommendations to the executive director on such matters as enterprise information technology policies, standards, services, and architecture. The council may also identify and recommend opportunities for the establishment of public-private partnerships when considering technology infrastructure and services in order to accelerate project delivery and provide a source of new or increased project funding.

(b) The executive director shall consult with the council with regard to executing the duties and responsibilities of the agency related to statewide information technology strategic planning and policy.

(c) The council shall be governed by the Code of Ethics for Public Officers and Employees as set forth in part III of chapter 112, and each member must file a statement of financial interests pursuant to s. 112.3145.

Section 7. Subsection (2) of section 215.96, Florida Statutes, is amended to read:

215.96 Coordinating council and design and coordination staff.—

(2) The coordinating council shall consist of the Chief Financial Officer; the Commissioner of Agriculture; the Attorney General; the Secretary of the Department of Management Services; the executive director of the Agency for State Technology ~~Attorney General~~; and the Director of Planning and Budgeting, Executive Office of the Governor, or their designees. The Chief Financial Officer, or his or her designee, shall be chair of the coordinating council, and the design and coordination staff shall provide administrative and clerical support to the council and the board. The design and coordination staff shall maintain the minutes of each meeting and shall make such minutes available to any interested person. The Auditor General, the State Courts Administrator, an executive officer of the Florida Association of State Agency Administrative Services Directors, and an executive officer of the Florida Association of State Budget Officers, or their designees, shall serve without voting rights as ex officio members of the coordinating council. The chair may call meetings of the coordinating council as often as necessary to transact business; however, the coordinating council shall meet at least once a year. Action of the coordinating council shall be by motion, duly



made, seconded and passed by a majority of the ~~coordinating~~ council voting in the affirmative for approval of items that are to be recommended for approval to the Financial Management Information Board.

Section 8. Paragraph (a) of subsection (4) of section 216.023, Florida Statutes, is amended to read:

216.023 Legislative budget requests to be furnished to Legislature by agencies.—

(4)(a) The legislative budget request ~~must contain~~ for each program must contain:

1. The constitutional or statutory authority for a program, a brief purpose statement, and approved program components.

2. Information on expenditures for 3 fiscal years (actual prior-year expenditures, current-year estimated expenditures, and agency budget requested expenditures for the next fiscal year) by appropriation category.

3. Details on trust funds and fees.

4. The total number of positions (authorized, fixed, and requested).

5. An issue narrative describing and justifying changes in amounts and positions requested for current and proposed programs for the next fiscal year.

6. Information resource requests.

7. Supporting information, including applicable cost-benefit analyses, business case analyses, performance contracting procedures, service comparisons, and impacts on performance standards for any request to outsource or privatize agency functions. The cost-benefit and business case analyses must include an assessment of the impact on each affected activity from those identified in accordance with paragraph (b). Performance standards must include standards for each affected activity and be expressed in terms of the associated unit of activity.

8. An evaluation of ~~any~~ major outsourcing and privatization initiatives undertaken during the last 5 fiscal years having aggregate expenditures exceeding \$10 million during the term of the contract. The evaluation ~~must~~ shall include an assessment of contractor performance, a comparison of anticipated service levels to actual service levels, and a comparison of estimated savings to actual savings achieved. Consolidated reports issued by the Department of Management Services may be used to satisfy this requirement.

9. Supporting information for any proposed consolidated financing of deferred-payment commodity contracts including guaranteed energy performance savings contracts. Supporting information must also include narrative describing and justifying the need, baseline for current costs, estimated cost savings, projected equipment purchases, estimated contract costs, and return on investment calculation.

10. For projects that exceed \$10 million in total cost, the statutory reference of the existing policy or the proposed substantive policy that establishes and defines the project's governance structure, planned scope, main business objectives that must be achieved, and estimated completion timeframes. The governance structure for information technology-related projects must incorporate the applicable project management and oversight standards established pursuant to s. 282.0051. Information technology budget requests for the continuance of existing hardware and software maintenance agreements, renewal of existing software licensing agreements, or the replacement of desktop units with new technology that is similar to the technology currently in use are exempt from this requirement.

Section 9. Section 282.0041, Florida Statutes, is amended to read:

282.0041 Definitions.—As used in this chapter, the term:

(1) "Agency data center" means agency space containing 10 or more physical or logical servers ~~"Agency" has the same meaning as in s. 216.011(1)(qq), except that for purposes of this chapter, "agency" does not include university boards of trustees or state universities.~~

(2) "Agency for Enterprise Information Technology" means the agency created in s. 14.204.

(3) "Agency information technology service" means a service that directly helps an agency fulfill its statutory or constitutional responsibilities and policy objectives and is usually associated with the agency's primary or core business functions.

(4) "Annual budget meeting" means a meeting of the board of trustees of a ~~primary data center to review data center usage to determine the~~

~~apportionment of board members for the following fiscal year, review rates for each service provided, and determine any other required changes.~~

(2)(5) "Breach" means a confirmed event that compromises the confidentiality, integrity, or availability of information or data ~~has the same meaning as in s. 817.5681(4).~~

(3)(6) "Business continuity plan" means a collection of procedures and information designed to keep an agency's critical operations running during a period of displacement or interruption of normal operations ~~plan for disaster recovery which provides for the continued functioning of a primary data center during and after a disaster.~~

(4)(7) "Computing facility" or "agency computing facility" means agency space containing fewer than a total of 10 physical or logical servers, ~~any of which supports a strategic or nonstrategic information technology service, as described in budget instructions developed pursuant to s. 216.023,~~ but excluding single, logical-server installations that exclusively perform a utility function such as file and print servers.

(5)(8) "Customer entity" means an entity that obtains services from ~~the state a primary data center.~~

(9) "Data center" means agency space containing 10 or more physical or logical servers ~~any of which supports a strategic or nonstrategic information technology service, as described in budget instructions developed pursuant to s. 216.023.~~

(6)(10) "Department" means the Department of Management Services.

(7) "Disaster recovery" means the process, policies, procedures, and infrastructure related to preparing for and implementing recovery or continuation of an agency's vital technology infrastructure after a natural or human-induced disaster.

(8)(11) "Enterprise information technology service" means an information technology service that is used in all agencies or a subset of agencies and is established in law to be designed, delivered, and managed at the enterprise level.

(9) "Event" means an observable occurrence in a system or network.

(10) "Incident" means a violation or imminent threat of violation, ~~whether such violation is accidental or deliberate, of information technology security policies, acceptable use policies, or standard security practices. An imminent threat of violation refers to a situation in which the state agency has a factual basis for believing that a specific incident is about to occur.~~

(12) "E-mail, messaging, and calendaring service" means the enterprise information technology service that enables users to send, receive, file, store, manage, and retrieve electronic messages, attachments, appointments, and addresses. ~~The e-mail, messaging, and calendaring service must include e-mail account management; help desk; technical support and user provisioning services; disaster recovery and backup and restore capabilities; antispam and antivirus capabilities; archiving and e-discovery; and remote access and mobile messaging capabilities.~~

(13) "Information system utility" means a full-service information-processing facility offering hardware, software, operations, integration, networking, and consulting services.

(11)(14) "Information technology" means equipment, hardware, software, firmware, programs, systems, networks, infrastructure, media, and related material used to automatically, electronically, and wirelessly collect, receive, access, transmit, display, store, record, retrieve, analyze, evaluate, process, classify, manipulate, manage, assimilate, control, communicate, exchange, convert, converge, interface, switch, or disseminate information of any kind or form.

(12)(15) "Information technology policy" means a definite course or method of action selected from among one or more alternatives that guide and determine present and future decisions ~~statements that describe clear choices for how information technology will deliver effective and efficient government services to residents and improve state agency operations. A policy may relate to investments, business applications, architecture, or infrastructure. A policy describes its rationale, implications of compliance or noncompliance, the timeline for implementation, metrics for determining compliance, and the accountable structure responsible for its implementation.~~

(13) "Information technology resources" has the same meaning as provided in s. 119.011.

(14) "Information technology security" means the protection afforded to an automated information system in order to attain the applicable objectives of preserving the integrity, availability, and confidentiality of data, information, and information technology resources.

(15)(16) "Performance metrics" means the measures of an organization's activities and performance.

(17) "~~Primary data center~~" means ~~a data center that is a recipient entity for consolidation of nonprimary data centers and computing facilities and that is established by law.~~

(16)(18) "Project" means an endeavor that has a defined start and end point; is undertaken to create or modify a unique product, service, or result; and has specific objectives that, when attained, signify completion.

(17) "Project oversight" means an independent review and analysis of an information technology project that provides information on the project's scope, completion timeframes, and budget and that identifies and quantifies issues or risks affecting the successful and timely completion of the project.

(18)(19) "Risk ~~assessment~~ analysis" means the process of identifying security risks, determining their magnitude, and identifying areas needing safeguards.

(19)(20) "Service level" means the key performance indicators (KPI) of an organization or service which must be regularly performed, monitored, and achieved.

(20)(21) "Service-level agreement" means a written contract between the ~~state~~ a data center and a customer entity which specifies the scope of services provided, service level, the duration of the agreement, the responsible parties, and service costs. A service-level agreement is not a rule pursuant to chapter 120.

(21) "Stakeholder" means a person, group, organization, or state agency involved in or affected by a course of action.

(22) "Standards" means required practices, controls, components, or configurations established by an authority.

(23) "State agency" means any official, officer, commission, board, authority, council, committee, or department of the executive branch of state government; the Justice Administrative Commission; and the Public Service Commission. The term does not include university boards of trustees or state universities. As used in part I of this chapter, except as otherwise specifically provided, the term does not include the Department of Legal Affairs, the Department of Agriculture and Consumer Services, or the Department of Financial Services.

(24)(23) "SUNCOM Network" means the state enterprise telecommunications system that provides all methods of electronic or optical telecommunications beyond a single building or contiguous building complex and used by entities authorized as network users under this part.

(25)(24) "Telecommunications" means the science and technology of communication at a distance, including electronic systems used in the transmission or reception of information.

(26)(25) "Threat" means any circumstance or event that has the potential to adversely impact a state agency's operations or assets through an information system via unauthorized access, destruction, disclosure, or modification of information or denial of service ~~any circumstance or event that may cause harm to the integrity, availability, or confidentiality of information technology resources.~~

(27) "Variance" means a calculated value that illustrates how far positive or negative a projection has deviated when measured against documented estimates within a project plan.

(26) "~~Total cost~~" means ~~all costs associated with information technology projects or initiatives, including, but not limited to, value of hardware, software, service, maintenance, incremental personnel, and facilities. Total cost of a loan or gift of information technology resources to an agency includes the fair market value of the resources.~~

(27) "~~Usage~~" means ~~the billing amount charged by the primary data center, less any pass through charges, to the customer entity.~~

(28) "~~Usage rate~~" means ~~a customer entity's usage or billing amount as a percentage of total usage.~~

Section 10. Section 282.0051, Florida Statutes, is created to read:

282.0051 Agency for State Technology; powers, duties, and functions.—The Agency for State Technology shall have the following powers, duties, and functions:

(1) Develop and publish information technology policy for the management of the state's information technology resources.

(2) Establish and publish information technology architecture standards to provide for the most efficient use of the state's information technology resources and to ensure compatibility and alignment with the needs of state agencies. The agency shall assist state agencies in complying with the standards.

(3) By June 30, 2015, establish project management and oversight standards with which state agencies must comply when implementing information technology projects. The agency shall provide training opportunities to state agencies to assist in the adoption of the project management and oversight standards. To support data-driven decisionmaking, the standards must include, but are not limited to:

(a) Performance measurements and metrics that objectively reflect the status of an information technology project based on a defined and documented project scope, cost, and schedule.

(b) Methodologies for calculating acceptable variances in the projected versus actual scope, schedule, or cost of an information technology project.

(c) Reporting requirements, including requirements designed to alert all defined stakeholders that an information technology project has exceeded acceptable variances defined and documented in a project plan.

(d) Content, format, and frequency of project updates.

(4) Beginning January 1, 2015, perform project oversight on all state agency information technology projects that have total project costs of \$10 million or more and that are funded in the General Appropriations Act or any other law. The agency shall report at least quarterly to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives on any information technology project that the agency identifies as high-risk due to the project exceeding acceptable variance ranges defined and documented in a project plan. The report must include a risk assessment, including fiscal risks, associated with proceeding to the next stage of the project, and a recommendation for corrective actions required, including suspension or termination of the project.

(5) By April 1, 2016, and biennially thereafter, identify opportunities for standardization and consolidation of information technology services that support business functions and operations, including administrative functions such as purchasing, accounting and reporting, cash management, and personnel, and that are common across state agencies. The agency shall provide recommendations for standardization and consolidation to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives. The agency is not precluded from providing recommendations before April 1, 2016.

(6) In collaboration with the Department of Management Services, establish best practices for the procurement of information technology products in order to reduce costs, increase productivity, or improve services. Such practices must include a provision requiring the agency to review all information technology purchases made by state agencies that have a total cost of \$250,000 or more, unless a purchase is specifically mandated by the Legislature, for compliance with the standards established pursuant to this section.

(7)(a) Participate with the Department of Management Services in evaluating, conducting, and negotiating competitive solicitations for state term contracts for information technology commodities, consultant services, or staff augmentation contractual services pursuant to s. 287.0591.

(b) Collaborate with the Department of Management Services in information technology resource acquisition planning.

(8) Develop standards for information technology reports and updates, including, but not limited to, operational work plans, project spend plans, and project status reports, for use by state agencies.

(9) Upon request, assist state agencies in the development of information technology-related legislative budget requests.

(10) Beginning July 1, 2016, and annually thereafter, conduct annual assessments of state agencies to determine compliance with all information technology standards and guidelines developed and published by the agency.

and beginning December 1, 2016, and annually thereafter, provide results of the assessments to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(11) Provide operational management and oversight of the state data center established pursuant to s. 282.201, which includes:

(a) Implementing industry standards and best practices for the state data center's facilities, operations, maintenance, planning, and management processes.

(b) Developing and implementing cost-recovery mechanisms that recover the full direct and indirect cost of services through charges to applicable customer entities. Such cost-recovery mechanisms must comply with applicable state and federal regulations concerning distribution and use of funds and must ensure that, for any fiscal year, no service or customer entity subsidizes another service or customer entity.

(c) Developing and implementing appropriate operating guidelines and procedures necessary for the state data center to perform its duties pursuant to s. 282.201. The guidelines and procedures must comply with applicable state and federal laws, regulations, and policies and conform to generally accepted governmental accounting and auditing standards. The guidelines and procedures must include, but not be limited to:

1. Implementing a consolidated administrative support structure responsible for providing financial management, procurement, transactions involving real or personal property, human resources, and operational support.

2. Implementing an annual reconciliation process to ensure that each customer entity is paying for the full direct and indirect cost of each service as determined by the customer entity's use of each service.

3. Providing rebates that may be credited against future billings to customer entities when revenues exceed costs.

4. Requiring customer entities to validate that sufficient funds exist in the appropriate data processing appropriation category or will be transferred into the appropriate data processing appropriation category before implementation of a customer entity's request for a change in the type or level of service provided, if such change results in a net increase to the customer entity's costs for that fiscal year.

5. By September 1 of each year, providing to each customer entity's agency head the projected costs of providing data center services for the following fiscal year.

6. Providing a plan for consideration by the Legislative Budget Commission if the cost of a service is increased for a reason other than a customer entity's request made pursuant to subparagraph 4. Such a plan is required only if the service cost increase results in a net increase to a customer entity for that fiscal year.

7. Standardizing and consolidating procurement and contracting practices.

(d) In collaboration with the Department of Law Enforcement, developing and implementing a process for detecting, reporting, and responding to information technology security incidents, breaches, and threats.

(e) Adopting rules relating to the operation of the state data center, including, but not limited to, budgeting and accounting procedures, cost-recovery methodologies, and operating procedures.

(f) Beginning May 1, 2016, and annually thereafter, conducting a market analysis to determine whether the state's approach to the provision of data center services is the most effective and efficient manner by which its customer entities can acquire such services, based on federal, state, and local government trends; best practices in service provision; and the acquisition of new and emerging technologies. The results of the market analysis shall assist the state data center in making adjustments to its data center service offerings.

(12) Recommend other information technology services that should be designed, delivered, and managed as enterprise information technology services. Recommendations must include the identification of existing information technology resources associated with the services, if existing services must be transferred as a result of being delivered and managed as enterprise information technology services.

(13) Recommend additional consolidations of agency computing facilities or data centers into the state data center established pursuant to s. 282.201. Such recommendations shall include a proposed timeline for consolidation.

(14) In consultation with state agencies, propose a methodology and approach for identifying and collecting both current and planned information technology expenditure data at the state agency level.

(15)(a) Beginning January 1, 2015, and notwithstanding any other law, provide project oversight on any information technology project of the Department of Financial Services, the Department of Legal Affairs, and the Department of Agriculture and Consumer Services that has a total project cost of \$25 million or more and that impacts one or more other agencies. Such information technology projects must also comply with the applicable information technology architecture, project management and oversight, and reporting standards established by the agency.

(b) When performing the project oversight function specified in paragraph (a), report at least quarterly to the Executive Office of the Governor, the President of the Senate, and the Speaker of the House of Representatives on any information technology project that the agency identifies as high-risk due to the project exceeding acceptable variance ranges defined and documented in the project plan. The report shall include a risk assessment, including fiscal risks, associated with proceeding to the next stage of the project and a recommendation for corrective actions required, including suspension or termination of the project.

(16) If an information technology project implemented by a state agency must be connected to or otherwise accommodated by an information technology system administered by the Department of Financial Services, the Department of Legal Affairs, or the Department of Agriculture and Consumer Services, consult with these departments regarding the risks and other effects of such projects on their information technology systems and work cooperatively with these departments regarding the connections, interfaces, timing, or accommodations required to implement such projects.

(17) If adherence to standards or policies adopted by or established pursuant to this section causes conflict with federal regulations or requirements imposed on a state agency and results in adverse action against the state agency or federal funding, work with the state agency to provide alternative standards, policies, or requirements that do not conflict with the federal regulation or requirement. Beginning July 1, 2015, the agency shall annually report such alternative standards to the Governor, the President of the Senate, and the Speaker of the House of Representatives.

(18) Adopt rules to administer this section.

Section 11. Section 282.00515, Florida Statutes, is created to read:

282.00515 Duties of Cabinet agencies.—The Department of Legal Affairs, the Department of Financial Services, and the Department of Agriculture and Consumer Services shall adopt the standards established in s. 282.0051(2), (3), and (8) or adopt alternative standards based on best practices and industry standards, and may contract with the Agency for State Technology to provide or perform any of the services and functions described in s. 282.0051 for the Department of Legal Affairs, the Department of Financial Services, or the Department of Agriculture and Consumer Services.

Section 12. Sections 282.0055 and 282.0056, Florida Statutes, are repealed.

Section 13. Section 282.201, Florida Statutes, is amended to read:

282.201 State data center ~~system; agency duties and limitations.~~—~~The A~~ state data center ~~system that includes all primary data centers, other nonprimary data centers, and computing facilities, and that provides an enterprise information technology service as defined in s. 282.0041,~~ is established within the Agency for State Technology and shall provide data center services that are hosted on premises or externally through a third-party provider as an enterprise information technology service. The provision of services must comply with applicable state and federal laws, regulations, and policies, including all applicable security, privacy, and auditing requirements.

(1) INTENT.—The Legislature finds that the most efficient and effective means of providing quality utility data processing services to state agencies requires that computing resources be concentrated in quality facilities that provide the proper security, disaster recovery, infrastructure, and staff resources to ensure that the state's data is maintained reliably and safely, and is recoverable in the event of a disaster. ~~Efficiencies resulting from such consolidation include the increased ability to leverage technological expertise and hardware and software capabilities; increased savings through consolidated purchasing decisions; and the enhanced ability to deploy~~

~~technology improvements and implement new policies consistently throughout the consolidated organization. Unless otherwise exempt by law, it is the intent of the Legislature that all agency data centers and computing facilities shall be consolidated into the state a primary data center by 2019.~~

(2) STATE DATA CENTER DUTIES.—The state data center shall:

(a) Offer, develop, and support the services and applications defined in service-level agreements executed with its customer entities.

(b) Maintain performance of the state data center by ensuring proper data backup, data backup recovery, disaster recovery, and appropriate security, power, cooling, fire suppression, and capacity.

(c) Develop and implement a business continuity plan and a disaster recovery plan, and beginning July 1, 2015, and annually thereafter, conduct a live exercise of each plan.

(d) Enter into a service-level agreement with each customer entity to provide the required type and level of service or services. If a customer entity fails to execute an agreement within 60 days after commencement of a service, the state data center may cease service. A service-level agreement may not have a term exceeding 3 years and at a minimum must:

1. Identify the parties and their roles, duties, and responsibilities under the agreement.

2. State the duration of the contract term and specify the conditions for renewal.

3. Identify the scope of work.

4. Identify the products or services to be delivered with sufficient specificity to permit an external financial or performance audit.

5. Establish the services to be provided, the business standards that must be met for each service, the cost of each service, and the metrics and processes by which the business standards for each service are to be objectively measured and reported.

6. Provide a timely billing methodology to recover the cost of services provided to the customer entity pursuant to s. 215.422.

7. Provide a procedure for modifying the service-level agreement based on changes in the type, level, and cost of a service.

8. Include a right-to-audit clause to ensure that the parties to the agreement have access to records for audit purposes during the term of the service-level agreement.

9. Provide that a service-level agreement may be terminated by either party for cause only after giving the other party and the Agency for State Technology notice in writing of the cause for termination and an opportunity for the other party to resolve the identified cause within a reasonable period.

10. Provide for mediation of disputes by the Division of Administrative Hearings pursuant to s. 120.573.

(e) For purposes of chapter 273, be the custodian of resources and equipment located in and operated, supported, and managed by the state data center.

(f) Assume administrative access rights to resources and equipment, including servers, network components, and other devices, consolidated into the state data center.

1. Upon the date of each consolidation specified in this section, the General Appropriations Act, or any other law, a state agency shall relinquish administrative rights to consolidated resources and equipment. State agencies required to comply with federal and state criminal justice information security rules and policies shall retain administrative access rights sufficient to comply with the management control provisions of those rules and policies; however, the state data center shall have the appropriate type or level of rights to allow the center to comply with its duties pursuant to this section. The Department of Law Enforcement shall serve as the arbiter of disputes pertaining to the appropriate type and level of administrative access rights pertaining to the provision of management control in accordance with the federal criminal justice information guidelines.

2. The state data center shall provide customer entities with access to applications, servers, network components, and other devices necessary for entities to perform business activities and functions, and as defined and documented in a service-level agreement.

(2) AGENCY FOR ENTERPRISE INFORMATION TECHNOLOGY DUTIES.—The Agency for Enterprise Information Technology shall:

~~(a) Collect and maintain information necessary for developing policies relating to the data center system, including, but not limited to, an inventory of facilities.~~

~~(b) Annually approve cost recovery mechanisms and rate structures for primary data centers which recover costs through charges to customer entities.~~

~~(c) By September 30 of each year, submit to the Legislature, the Executive Office of the Governor, and the primary data centers recommendations to improve the efficiency and cost effectiveness of computing services provided by state data center system facilities. Such recommendations must include, but need not be limited to:~~

~~1. Policies for improving the cost effectiveness and efficiency of the state data center system, which includes the primary data centers being transferred to a shared, virtualized server environment, and the associated cost savings resulting from the implementation of such policies.~~

~~2. Infrastructure improvements supporting the consolidation of facilities or preempting the need to create additional data centers or computing facilities.~~

~~3. Uniform disaster recovery standards.~~

~~4. Standards for primary data centers which provide cost effective services and transparent financial data to user agencies.~~

~~5. Consolidation of contract practices or coordination of software, hardware, or other technology related procurements and the associated cost savings.~~

~~6. Improvements to data center governance structures.~~

~~(d) By October 1 of each year, provide recommendations to the Governor and Legislature relating to changes to the schedule for the consolidations of state agency data centers as provided in subsection (4).~~

~~1. The recommendations must be based on the goal of maximizing current and future cost savings by:~~

~~a. Consolidating purchase decisions.~~

~~b. Leveraging expertise and other resources to gain economies of scale.~~

~~c. Implementing state information technology policies more effectively.~~

~~d. Maintaining or improving the level of service provision to customer entities.~~

~~2. The agency shall establish workgroups as necessary to ensure participation by affected agencies in the development of recommendations related to consolidations.~~

~~(e) Develop and establish rules relating to the operation of the state data center system which comply with applicable federal regulations, including 2 C.F.R. part 225 and 45 C.F.R. The rules must address:~~

~~1. Ensuring that financial information is captured and reported consistently and accurately.~~

~~2. Identifying standards for hardware, including standards for a shared, virtualized server environment, and operations system software and other operational software, including security and network infrastructure, for the primary data centers; requiring compliance with such standards in order to enable the efficient consolidation of the agency data centers or computing facilities; and providing an exemption process from compliance with such standards, which must be consistent with paragraph (5)(b).~~

~~3. Requiring annual full cost recovery on an equitable rational basis. The cost recovery methodology must ensure that no service is subsidizing another service and may include adjusting the subsequent year's rates as a means to recover deficits or refund surpluses from a prior year.~~

~~4. Requiring that any special assessment imposed to fund expansion is based on a methodology that apportions the assessment according to the proportional benefit to each customer entity.~~

~~5. Requiring that rebates be given when revenues have exceeded costs, that rebates be applied to offset charges to those customer entities that have subsidized the costs of other customer entities, and that such rebates may be in the form of credits against future billings.~~

~~6. Requiring that all service level agreements have a contract term of up to 3 years, but may include an option to renew for up to 3 additional years contingent on approval by the board, and require at least a 180-day notice of termination.~~

(3) STATE AGENCY DUTIES.—

(a) For the purpose of completing the work activities described in subsections (1) and (2), Each state agency shall provide to the Agency for State Enterprise Information Technology all requested information relating to

its data centers and computing facilities and any other information relevant to the effective agency's ability to effectively transition of an agency data center or computing facility its computer services into the state a primary data center. ~~The agency shall also participate as required in workgroups relating to specific consolidation planning and implementation tasks as assigned by the Agency for Enterprise Information Technology and determined necessary to accomplish consolidation goals.~~

(b) Each state agency customer of the state a primary data center shall notify the state data center, by May 31 and November 30 of each year, of any significant changes in anticipated utilization of state data center services pursuant to requirements established by the state boards of trustees of each primary data center.

(4) SCHEDULE FOR CONSOLIDATIONS OF AGENCY DATA CENTERS.—

(a) Consolidations of agency data centers and computing facilities into the state data center shall be made by the dates date and to the specified primary data center as provided in this section and in accordance with budget adjustments contained in the General Appropriations Act.

(b) ~~By December 31, 2011, the following shall be consolidated into the Northwest Regional Data Center:~~

1. ~~The Department of Education's Knott Data Center in the Turlington Building;~~

2. ~~The Department of Education's Division of Vocational Rehabilitation;~~

3. ~~The Department of Education's Division of Blind Services, except for the division's disaster recovery site in Daytona Beach;~~

4. ~~The FCAT Explorer;~~

(c) ~~During the 2011-2012 fiscal year, the following shall be consolidated into the Southwood Shared Resource Center:~~

1. ~~By September 30, 2011, the Department of Corrections;~~

2. ~~By March 31, 2012, the Department of Transportation's Burns Building;~~

3. ~~By March 31, 2012, the Department of Transportation's Survey & Mapping Office;~~

(d) ~~By July 1, 2012, the Department of Highway Safety and Motor Vehicles' Office of Commercial Vehicle Enforcement shall be consolidated into the Northwood Shared Resource Center.~~

(e) ~~By September 30, 2012, the Department of Revenue's Carlton Building and Imaging Center locations shall be consolidated into the Northwest Regional Data Center.~~

(f) ~~During the 2012-2013 fiscal year, the following shall be consolidated into the Northwood Shared Resource Center:~~

1. ~~By July 1, 2012, the Agency for Health Care Administration;~~

2. ~~By August 31, 2012, the Department of Highway Safety and Motor Vehicles;~~

3. ~~By December 31, 2012, the Department of Environmental Protection's Palmetto Commons;~~

4. ~~By December 31, 2012, the Department of Health's Test and Development Lab and all remaining data center resources located at the Capital Circle Office Complex.~~

(b)(g) ~~During the 2013-2014 fiscal year, the following state agencies shall be consolidated by the specified date into the Southwood Shared Resource Center:~~

1. ~~By October 31, 2013, the Department of Economic Opportunity;~~

2. ~~By December 31, 2013, the Executive Office of the Governor, to include the Division of Emergency Management except for the Emergency Operation Center's management system in Tallahassee and the Camp Blanding Emergency Operations Center in Starke;~~

3. ~~By March 31, 2014, the Department of Elderly Affairs;~~

4.(h) ~~By October 30, 2013, the Fish and Wildlife Conservation Commission, except for the commission's Fish and Wildlife Research Institute in St. Petersburg, shall be consolidated into the Northwood Shared Resource Center.~~

(i) ~~During the 2014-2015 fiscal year, the following agencies shall work with the Agency for Enterprise Information Technology to begin preliminary planning for consolidation into a primary data center:~~

1. ~~The Department of Health's Jacksonville Lab Data Center;~~

2. ~~The Department of Transportation's district offices, toll offices, and the District Materials Office;~~

3. ~~The Department of Military Affairs' Camp Blanding Joint Training Center in Starke;~~

4. ~~The Camp Blanding Emergency Operations Center in Starke;~~

5. ~~The Department of Education's Division of Blind Services disaster recovery site in Daytona Beach;~~

6. ~~The Department of Education's disaster recovery site at Santa Fe College;~~

7. ~~The Fish and Wildlife Conservation Commission's Fish and Wildlife Research Institute in St. Petersburg;~~

8. ~~The Department of Children and Family Services' Suncoast Data Center in Tampa;~~

9. ~~The Department of Children and Family Services' Florida State Hospital in Chattahoochee;~~

(j) ~~During the 2015-2016 fiscal year, all computing resources remaining within an agency data center or computing facility, to include the Department of Financial Services' Hartman, Larson, and Fletcher Buildings data centers, shall be transferred to a primary data center for consolidation unless otherwise required to remain in the agency for specified financial, technical, or business reasons that must be justified in writing and approved by the Agency for Enterprise Information Technology. Such data centers, computing facilities, and resources must be identified by the Agency for Enterprise Information Technology by October 1, 2014.~~

(c)(k) The following are exempt from state data center consolidation under this section: the Department of Law Enforcement, the Department of the Lottery's Gaming System, Systems Design and Development in the Office of Policy and Budget, the regional traffic management centers as described in s. 335.14(2) and the Office of Toll Operations of the Department of Transportation, ~~and~~ the State Board of Administration, state attorneys, public defenders, criminal conflict and civil regional counsel, capital collateral regional counsel, ~~the Florida Clerks of Court Operations Corporation,~~ and the Florida Housing Finance Corporation ~~are exempt from data center consolidation under this section.~~

(d)(l) A state Any agency that is consolidating its agency data center or computing facility centers into the state a primary data center must execute a new or update an existing service-level agreement within 60 days after the commencement of the service specified consolidation date, as required by s. 282.203, in order to specify the services and levels of service it is to receive from the primary data center as a result of the consolidation. If a state an agency and the state primary data center are unable to execute a service-level agreement by that date, the agency ~~and the primary data center~~ shall submit a report to the Executive Office of the Governor ~~and to the chairs of the legislative appropriations committees~~ within 5 working days after that date which explains the specific issues preventing execution and describing the plan and schedule for resolving those issues.

(m) ~~Beginning September 1, 2011, and every 6 months thereafter until data center consolidations are complete, the Agency for Enterprise Information Technology shall provide a status report on the implementation of the consolidations that must be completed during the fiscal year. The report shall be submitted to the Executive Office of the Governor and the chairs of the legislative appropriations committees. The report must, at a minimum, describe:~~

1. ~~Whether the consolidation is on schedule, including progress on achieving the milestones necessary for successful and timely consolidation of scheduled agency data centers and computing facilities;~~

2. ~~The risks that may affect the progress or outcome of the consolidation and how these risks are being addressed, mitigated, or managed;~~

(e)(n) Each state agency scheduled identified in this subsection for consolidation into the state a primary data center shall submit a transition plan to the Agency for State Technology appropriate primary data center by July 1 of the fiscal year before the fiscal year in which the scheduled consolidation will occur. Transition plans shall be developed in consultation with the state data center appropriate primary data centers and the Agency for Enterprise Information Technology, and must include:

1. An inventory of the agency data center's resources being consolidated, including all hardware and its associated life cycle replacement schedule, software, staff, contracted services, and facility resources performing data center management and operations, security, backup and recovery, disaster

recovery, system administration, database administration, system programming, job control, production control, print, storage, technical support, help desk, and managed services, but excluding application development, and the agency's costs supporting these resources.

2. A list of contracts in effect, including, but not limited to, contracts for hardware, software, and maintenance, which identifies the expiration date, the contract parties, and the cost of each contract.

3. A detailed description of the level of services needed to meet the technical and operational requirements of the platforms being consolidated.

4. ~~A description of resources for computing services proposed to remain in the department.~~

4.5. A timetable with significant milestones for the completion of the consolidation.

(e) Each primary data center shall develop a transition plan for absorbing the transfer of agency data center resources based upon the timetables for transition as provided in this subsection. The plan shall be submitted to the Agency for Enterprise Information Technology, the Executive Office of the Governor, and the chairs of the legislative appropriations committees by September 1 of the fiscal year before the fiscal year in which the scheduled consolidations will occur. Each plan must include:

1. The projected cost to provide data center services for each agency scheduled for consolidation.

2. A staffing plan that identifies the projected staffing needs and requirements based on the estimated workload identified in the agency transition plan.

3. The fiscal year adjustments to budget categories in order to absorb the transfer of agency data center resources pursuant to the legislative budget request instructions provided in s. 216.023.

4. An analysis of the cost effects resulting from the planned consolidations on existing agency customers.

5. A description of any issues that must be resolved in order to accomplish as efficiently and effectively as possible all consolidations required during the fiscal year.

(f)(p) Each state agency ~~scheduled identified in this subsection~~ for consolidation into ~~the state a primary~~ data center shall submit with its respective legislative budget request the specific recurring and nonrecurring budget adjustments of resources by appropriation category into the appropriate data processing category pursuant to the legislative budget request instructions in s. 216.023.

(5) AGENCY LIMITATIONS.—

(a) Unless ~~exempt from data center consolidation pursuant to this section~~ or authorized by the Legislature or as provided in ~~paragraph paragraphs (b) and (c)~~, a state agency may not:

1. Create a new agency computing facility or data center, or expand the capability to support additional computer equipment in an existing agency computing facility or ~~nonprimary~~ data center;

2. Spend funds before the state agency's scheduled consolidation into the state a primary data center to purchase or modify hardware or operations software that does not comply with ~~hardware and software~~ standards established by the Agency for State Enterprise Information Technology pursuant to s. 282.0051 paragraph (2)(c) for the efficient consolidation of the agency data centers or computing facilities;

3. Transfer existing computer services to any data center other than the state a primary data center;

4. Terminate services with the state a primary data center ~~or transfer services between primary data centers~~ without giving written notice of intent to terminate ~~or transfer~~ services 180 days before such termination ~~or transfer~~; or

5. Initiate a new computer service except with the state a primary data center.

(b) Exceptions to the limitations in subparagraphs (a)1., 2., 3., and 5. may be granted by the Agency for State Enterprise Information Technology if there is insufficient capacity in the state a primary data center to absorb the workload associated with agency computing services, if expenditures are compatible with ~~the scheduled consolidation and~~ the standards established pursuant to s. 282.0051 paragraph (2)(c), or if the equipment or resources are needed to meet a critical agency business need that cannot be satisfied ~~by from surplus~~

~~equipment or resources of the state primary data center until the agency data center is consolidated.~~ The Agency for State Technology shall establish requirements that a state agency must follow when submitting and documenting a request for an exception. The Agency for State Technology shall also publish guidelines for its consideration of exception requests. However, the decision of the Agency for State Technology regarding an exception request is not subject to chapter 120.

1. A request for an exception must be submitted in writing to the Agency for Enterprise Information Technology. The agency must accept, accept with conditions, or deny the request within 60 days after receipt of the written request. The agency's decision is not subject to chapter 120.

2. At a minimum, the agency may not approve a request unless it includes:

a. Documentation approved by the primary data center's board of trustees which confirms that the center cannot meet the capacity requirements of the agency requesting the exception within the current fiscal year.

b. A description of the capacity requirements of the agency requesting the exception.

c. Documentation from the agency demonstrating why it is critical to the agency's mission that the expansion or transfer must be completed within the fiscal year rather than when capacity is established at a primary data center.

(e) ~~Exceptions to subparagraph (a)4. may be granted by the board of trustees of the primary data center if the termination or transfer of services can be absorbed within the current cost allocation plan.~~

(d) Upon the termination of or transfer of agency computing services from the primary data center, the primary data center shall require information sufficient to determine compliance with this section. If a primary data center determines that an agency is in violation of this section, it shall report the violation to the Agency for Enterprise Information Technology.

(6) RULES.—The Agency for Enterprise Information Technology may adopt rules to administer this part relating to the state data center system including the primary data centers.

Section 14. Effective upon this act becoming a law, section 48 of chapter 2013-41, Laws of Florida, is repealed.

Section 15. Sections 282.203, 282.204, and 282.205, Florida Statutes, are repealed.

Section 16. Section 282.318, Florida Statutes, is amended to read:

282.318 Enterprise Security of data and information technology.—

(1) This section may be cited as the "Enterprise Security of Data and Information Technology Security Act."

(2) As used in this section, the term "state agency" has the same meaning as provided in s. 282.0041, except that the term includes the Department of Legal Affairs, the Department of Agriculture and Consumer Services, and the Department of Financial Services.

(2) ~~Information technology security is established as an enterprise information technology service as defined in s. 282.0041.~~

(3) The Agency for State Enterprise Information Technology is responsible for establishing standards and processes consistent with generally accepted best practices for information technology security and adopting rules that safeguard an agency's data, information, and information technology resources to ensure availability, confidentiality, and integrity and publishing guidelines for ensuring an appropriate level of security for all data and information technology resources for executive branch agencies. The agency shall also perform the following duties and responsibilities:

(a) Develop, and annually update by February 1, a statewide ~~an enterprise~~ information technology security strategic plan that includes security goals and objectives for the strategic issues of information technology security policy, risk management, training, incident management, and disaster recovery survivability planning.

(b) Develop and publish for use by state agencies an information technology security framework that, at a minimum, includes enterprise security rules and published guidelines and processes for:

1. Establishing asset management procedures to ensure that an agency's information technology resources are identified and managed consistent with their relative importance to the agency's business objectives.

2. Using a standard risk assessment methodology that includes the identification of an agency's priorities, constraints, risk tolerances, and assumptions necessary to support operational risk decisions.

3.4. Completing comprehensive risk assessments analyses and information technology security audits and submitting completed assessments and audits to the Agency for State Technology conducted by state agencies.

4. Identifying protection procedures to manage the protection of an agency's information, data, and information technology resources.

5. Establishing procedures for accessing information and data to ensure the confidentiality, integrity, and availability of such information and data.

6. Detecting threats through proactive monitoring of events, continuous security monitoring, and defined detection processes.

7.2. Responding to information technology suspected or confirmed information security incidents, including suspected or confirmed breaches of personal information containing confidential or exempt data.

8. Recovering information and data in response to an information technology security incident. The recovery may include recommended improvements to the agency processes, policies, or guidelines.

9.3. Developing agency strategic and operational information technology security plans required pursuant to this section, including strategic security plans and security program plans.

4. The recovery of information technology and data following a disaster.

10.5. Establishing the managerial, operational, and technical safeguards for protecting state government data and information technology resources that align with the state agency risk management strategy and that protect the confidentiality, integrity, and availability of information and data.

(c) Assist state agencies in complying with the provisions of this section.

(d) Pursue appropriate funding for the purpose of enhancing domestic security.

(d)(e) In collaboration with the Cybercrime Office of the Department of Law Enforcement, provide training for state agency information security managers.

(e)(f) Annually review the strategic and operational information technology security plans of executive branch agencies.

(4) To assist the Agency for Enterprise Information Technology in carrying out its responsibilities, Each state agency head shall, at a minimum:

(a) Designate an information security manager to administer the information technology security program of the state agency for its data and information technology resources. This designation must be provided annually in writing to the Agency for State Enterprise Information Technology by January 1. A state agency's information security manager, for purposes of these information security duties, shall report directly to the agency head.

(b) Submit to the Agency for State Enterprise Information Technology annually by July 31, the state agency's strategic and operational information technology security plans developed pursuant to the rules and guidelines established by the Agency for State Enterprise Information Technology.

1. The state agency strategic information technology security plan must cover a 3-year period and, at a minimum, define security goals, intermediate objectives, and projected agency costs for the strategic issues of agency information security policy, risk management, security training, security incident response, and disaster recovery survivability. The plan must be based on the statewide enterprise strategic information technology security strategic plan created by the Agency for State Enterprise Information Technology and include performance metrics that can be objectively measured to reflect the status of the state agency's progress in meeting security goals and objectives identified in the agency's strategic information security plan. Additional issues may be included.

2. The state agency operational information technology security plan must include a progress report that objectively measures progress made towards for the prior operational information technology security plan and a project plan that includes activities, timelines, and deliverables for security objectives that subject to current resources, the state agency will implement during the current fiscal year. The cost of implementing the portions of the plan which cannot be funded from current resources must be identified in the plan.

(c) Conduct, and update every 3 years, a comprehensive risk assessment analysis to determine the security threats to the data, information, and information technology resources of the agency. The risk assessment must comply with the risk assessment methodology developed by the Agency for State Technology and analysis information is confidential and exempt from the

provisions of s. 119.07(1), except that such information shall be available to the Auditor General, and the Agency for State Enterprise Information Technology, the Cybercrime Office of the Department of Law Enforcement, and, for state agencies under the jurisdiction of the Governor, the Chief Inspector General for performing postauditing duties.

(d) Develop, and periodically update, written internal policies and procedures, which include procedures for reporting information technology security incidents and breaches to the Cybercrime Office of the Department of Law Enforcement and notifying the Agency for State Enterprise Information Technology when a suspected or confirmed breach, or an information security incident, occurs. Such policies and procedures must be consistent with the rules, and guidelines, and processes established by the Agency for State Enterprise Information Technology to ensure the security of the data, information, and information technology resources of the agency. The internal policies and procedures that, if disclosed, could facilitate the unauthorized modification, disclosure, or destruction of data or information technology resources are confidential information and exempt from s. 119.07(1), except that such information shall be available to the Auditor General, the Cybercrime Office of the Department of Law Enforcement, and the Agency for State Enterprise Information Technology, and, for state agencies under the jurisdiction of the Governor, the Chief Inspector General for performing postauditing duties.

(e) Implement managerial, operational, and technical appropriate cost-effective safeguards established by the Agency for State Technology to address identified risks to the data, information, and information technology resources of the agency.

(f) Ensure that periodic internal audits and evaluations of the agency's information technology security program for the data, information, and information technology resources of the agency are conducted. The results of such audits and evaluations are confidential information and exempt from s. 119.07(1), except that such information shall be available to the Auditor General, the Cybercrime Office of the Department of Law Enforcement, and the Agency for State Enterprise Information Technology, and, for agencies under the jurisdiction of the Governor, the Chief Inspector General for performing postauditing duties.

(g) Include appropriate information technology security requirements in the written specifications for the solicitation of information technology and information technology resources and services, which are consistent with the rules and guidelines established by the Agency for State Enterprise Information Technology in collaboration with the Department of Management Services.

(h) Provide information technology security awareness training to all state agency employees and users of the agency's communication and information resources concerning information technology security risks and the responsibility of employees and users to comply with policies, standards, guidelines, and operating procedures adopted by the state agency to reduce those risks. The training may be provided in collaboration with the Cybercrime Office of the Department of Law Enforcement.

(i) Develop a process for detecting, reporting, and responding to threats, breaches, or information technology security suspected or confirmed security incidents that are, including suspected or confirmed breaches consistent with the security rules, and guidelines, and processes established by the Agency for State Enterprise Information Technology.

1. All information technology Suspected or confirmed information security incidents and breaches must be immediately reported to the Agency for State Enterprise Information Technology.

2. For information technology security incidents involving breaches, state agencies shall provide notice in accordance with s. 817.5681 and to the Agency for Enterprise Information Technology in accordance with this subsection.

(5) Each state agency shall include appropriate security requirements in the specifications for the solicitation of contracts for procuring information technology or information technology resources or services which are consistent with the rules and guidelines established by the Agency for Enterprise Information Technology.

~~(5)(6) The Agency for State Enterprise Information Technology shall may~~  
~~adopt rules relating to information technology security and to administer the~~  
~~provisions of this section.~~

Section 17. Section 282.33, Florida Statutes, is repealed.

Section 18. Section 282.34, Florida Statutes, is repealed.

Section 19. Section 287.0591, Florida Statutes, is created to read:

287.0591 Information technology.—

(1) Beginning July 1, 2014, any competitive solicitation issued by the  
department for a state term contract for information technology commodities  
must include a term that does not exceed 48 months.

(2) Beginning September 1, 2015, any competitive solicitation issued by  
the department for a state term contract for information technology consultant  
services or information technology staff augmentation contractual services  
must include a term that does not exceed 48 months.

(3) The department may execute a state term contract for information  
technology commodities, consultant services, or staff augmentation  
contractual services that exceeds the 48-month requirement if the Secretary  
of Management Services and the executive director of the Agency for State  
Technology certify to the Executive Office of the Governor that a longer  
contract term is in the best interest of the state.

(4) If the department issues a competitive solicitation for information  
technology commodities, consultant services, or staff augmentation  
contractual services, the Agency for State Technology shall participate in  
such solicitations.

Section 20. Section 943.0415, Florida Statutes, is amended to read:

943.0415 Cybercrime Office.—There is created within the Department of  
 Law Enforcement the Cybercrime Office. The office may:

(1) Investigate violations of state law pertaining to the sexual exploitation  
of children which are facilitated by or connected to the use of any device  
capable of storing electronic data.

(2) Monitor state information technology resources and provide analysis  
on information technology security incidents, threats, and breaches as defined  
in s. 282.0041.

(3) Investigate violations of state law pertaining to information technology  
security incidents pursuant to s. 282.0041 and assist in incident response and  
recovery.

(4) Provide security awareness training and information to state agency  
employees concerning cybersecurity, online sexual exploitation of children,  
and security risks, and the responsibility of employees to comply with  
policies, standards, guidelines, and operating procedures adopted by the  
Agency for State Technology.

(5) Consult with the Agency for State Technology in the adoption of rules  
relating to the information technology security provisions in s. 282.318.

Section 21. Section 1004.649, Florida Statutes, is amended to read:

1004.649 Northwest Regional Data Center.—

(1) For the purpose of providing data center services to serving its state  
agency customers, the Northwest Regional Data Center at Florida State  
University is designated as a primary data center and shall:

(a) Operate under a governance structure that represents its customers  
proportionally.

(b) Maintain an appropriate cost-allocation methodology that accurately  
bills state agency customers based solely on the actual direct and indirect  
costs of the services provided to state agency customers, and ensures that for  
any fiscal year, state agency customers are not subsidizing other customers of  
the data center prohibits the subsidization of nonstate agency customers' costs  
by state agency customers. Such cost-allocation methodology must comply  
with applicable state and federal regulations concerning the distribution and  
use of state and federal funds.

(c) Enter into a service-level agreement with each state agency customer to  
provide services as defined and approved by the governing board of the center.  
At a minimum, such service-level agreements must:

1. Identify the parties and their roles, duties, and responsibilities under the  
agreement;

2. State the duration of the agreement term and specify the conditions for  
renewal;

3. Identify the scope of work;

4. Establish the services to be provided, the business standards that must  
be met for each service, the cost of each service, and the process by which the  
business standards for each service are to be objectively measured and  
reported;

5. Provide a timely billing methodology for recovering the cost of services  
provided pursuant to s. 215.422; and

6. Provide a procedure for modifying the service-level agreement to  
address any changes in projected costs of service;

7. Prohibit the transfer of computing services between the Northwest  
Regional Data Center and the state data center established pursuant to s.  
282.201 without at least 180 days' written notification of service cancellation;

8. Identify the products or services to be delivered with sufficient  
specificity to permit an external financial or performance audit; and

9. Provide that the service-level agreement may be terminated by either  
party for cause only after giving the other party notice in writing of the cause  
for termination and an opportunity for the other party to resolve the identified  
cause within a reasonable period.

(d) Provide to the Board of Governors the total annual budget by major  
expenditure category, including, but not limited to, salaries, expenses,  
operating capital outlay, contracted services, or other personnel services by  
July 30 each fiscal year.

(e) Provide to each state agency customer its projected annual cost for  
providing the agreed-upon data center services by September 1 each fiscal  
year.

(f) Provide a plan for consideration by the Legislative Budget Commission  
if the governing body of the center approves the use of a billing rate schedule  
after the start of the fiscal year that increases any state agency customer's costs  
for that fiscal year.

(2) The Northwest Regional Data Center's authority to provide data center  
services to designation as a primary data center for purposes of serving its state  
agency customers may be terminated if:

(a) The center requests such termination to the Board of Governors, the  
Senate President, and the Speaker of the House of Representatives; or

(b) The center fails to comply with the provisions of this section.

(3) If such authority designation is terminated, the center shall have 1 year  
to provide for the transition of its state agency customers to the state data  
center established pursuant to s. 282.201 Southwood Shared Resource Center  
or the Northwood Shared Resource Center.

Section 22. Subsection (1) and paragraph (g) of subsection (2) of section  
 17.0315, Florida Statutes, are amended to read:

17.0315 Financial and cash management system; task force.—

(1) The Chief Financial Officer, as the constitutional officer responsible for  
settling and approving accounts against the state and keeping all state funds  
pursuant to s. 4, Art. IV of the State Constitution, is shall be the head of and  
shall appoint members to a task force established to develop a strategic  
business plan for a successor financial and cash management system. The  
task force shall include the executive director of the Agency for State  
Technology executive director of the Agency for Enterprise Information  
Technology and the director of the Office of Policy and Budget in the  
Executive Office of the Governor. Any member of the task force may appoint  
a designee.

(2) The strategic business plan for a successor financial and cash  
management system must:

(g) Be coordinated with the information technology strategy development  
efforts of the Agency for State Enterprise Information Technology;

Section 23. Paragraph (e) of subsection (2) of section 110.205, Florida  
 Statutes, is amended to read:

110.205 Career service; exemptions.—

(2) EXEMPT POSITIONS.—The exempt positions that are not covered  
by this part include the following:

(e) The executive director of the Agency for State Technology Chief  
Information Officer in the Agency for Enterprise Information Technology.  
Unless otherwise fixed by law, the Agency for State Enterprise Information  
Technology shall set the salary and benefits of this position in accordance  
with the rules of the Senior Management Service.

Section 24. Subsections (2) and (9) of section 215.322, Florida Statutes,  
 are amended to read:



215.322 Acceptance of credit cards, charge cards, debit cards, or electronic funds transfers by state agencies, units of local government, and the judicial branch.—

(2) A state agency as defined in s. 216.011, or the judicial branch, may accept credit cards, charge cards, debit cards, or electronic funds transfers in payment for goods and services with the prior approval of the Chief Financial Officer. If the Internet or other related electronic methods are to be used as the collection medium, the Agency for ~~State Enterprise Information~~ Technology shall review and recommend to the Chief Financial Officer whether to approve the request with regard to the process or procedure to be used.

(9) For payment programs in which credit cards, charge cards, or debit cards are accepted by state agencies, the judicial branch, or units of local government, the Chief Financial Officer, in consultation with the Agency for ~~State Enterprise Information~~ Technology, may adopt rules to establish uniform security safeguards for cardholder data and to ensure compliance with the Payment Card Industry Data Security Standards.

Section 25. Subsection (22) of section 287.057, Florida Statutes, is amended to read:

287.057 Procurement of commodities or contractual services.—

(22) The department, in consultation with the Chief Financial Officer and the Agency for State Technology, shall maintain a program for online procurement of commodities and contractual services. To enable the state to promote open competition and leverage its buying power, agencies shall participate in the online procurement program, and eligible users may participate in the program. Only vendors prequalified as meeting mandatory requirements and qualifications criteria may participate in online procurement.

(a) The department, in consultation with the Agency for State Technology and in compliance with the standards of the agency, may contract for equipment and services necessary to develop and implement online procurement.

(b) The department shall adopt rules to administer the program for online procurement. The rules must include, but not be limited to:

1. Determining the requirements and qualification criteria for prequalifying vendors.
2. Establishing the procedures for conducting online procurement.
3. Establishing the criteria for eligible commodities and contractual services.
4. Establishing the procedures for providing access to online procurement.
5. Determining the criteria warranting any exceptions to participation in the online procurement program.

(c) The department may impose and shall collect all fees for the use of the online procurement systems.

1. The fees may be imposed on an individual transaction basis or as a fixed percentage of the cost savings generated. At a minimum, the fees must be set in an amount sufficient to cover the projected costs of the services, including administrative and project service costs in accordance with the policies of the department.

2. If the department contracts with a provider for online procurement, the department, pursuant to appropriation, shall compensate the provider from the fees after the department has satisfied all ongoing costs. The provider shall report transaction data to the department each month so that the department may determine the amount due and payable to the department from each vendor.

3. All fees that are due and payable to the state on a transactional basis or as a fixed percentage of the cost savings generated are subject to s. 215.31 and must be remitted within 40 days after receipt of payment for which the fees are due. For fees that are not remitted within 40 days, the vendor shall pay interest at the rate established under s. 55.03(1) on the unpaid balance from the expiration of the 40-day period until the fees are remitted.

4. All fees and surcharges collected under this paragraph shall be deposited in the Operating Trust Fund as provided by law.

Section 26. Subsection (5) of section 327.301, Florida Statutes, is amended to read:

327.301 Written reports of accidents.—

(5) For the purposes of this section, a written report includes a report generated through the use of information technology resources as defined in s. ~~119.011~~ ~~282.0041~~.

Section 27. Subsection (4) of section 445.011, Florida Statutes, is amended to read:

445.011 Workforce information systems.—

(4) Workforce Florida, Inc., shall coordinate development and implementation of workforce information systems with the executive director of the Agency for State Technology ~~executive director of the Agency for Enterprise Information Technology~~ to ensure compatibility with the state's information system strategy and enterprise architecture.

Section 28. Subsections (2) and (4) of section 445.045, Florida Statutes, are amended to read:

445.045 Development of an Internet-based system for information technology industry promotion and workforce recruitment.—

(2) Workforce Florida, Inc., shall coordinate with the Agency for ~~State Enterprise Information~~ Technology and the Department of Economic Opportunity to ensure links, where feasible and appropriate, to existing job information websites maintained by the state and state agencies and to ensure that information technology positions offered by the state and state agencies are posted on the information technology website.

(4)(a) Workforce Florida, Inc., shall coordinate development and maintenance of the website under this section with the executive director of the Agency for State Technology ~~executive director of the Agency for Enterprise Information Technology~~ to ensure compatibility with the state's information system strategy and enterprise architecture.

(b) Workforce Florida, Inc., may enter into an agreement with the Agency for ~~State Enterprise Information~~ Technology, the Department of Economic Opportunity, or any other public agency with the requisite information technology expertise for the provision of design, operating, or other technological services necessary to develop and maintain the website.

(c) Workforce Florida, Inc., may procure services necessary to implement ~~the provisions of~~ this section, if it employs competitive processes, including requests for proposals, competitive negotiation, and other competitive processes to ensure that the procurement results in the most cost-effective investment of state funds.

Section 29. Paragraph (b) of subsection (18) of section 668.50, Florida Statutes, is amended to read:

668.50 Uniform Electronic Transaction Act.—

(18) ACCEPTANCE AND DISTRIBUTION OF ELECTRONIC RECORDS BY GOVERNMENTAL AGENCIES.—

(b) To the extent that a governmental agency uses electronic records and electronic signatures under paragraph (a), the Agency for ~~State Enterprise Information~~ Technology, in consultation with the governmental agency, giving due consideration to security, may specify:

1. The manner and format in which the electronic records must be created, generated, sent, communicated, received, and stored and the systems established for those purposes.

2. If electronic records must be signed by electronic means, the type of electronic signature required, the manner and format in which the electronic signature must be affixed to the electronic record, and the identity of, or criteria that must be met by, any third party used by a person filing a document to facilitate the process.

3. Control processes and procedures as appropriate to ensure adequate preservation, disposition, integrity, security, confidentiality, and auditability of electronic records.

4. Any other required attributes for electronic records which are specified for corresponding nonelectronic records or reasonably necessary under the circumstances.

Section 30. (1) The Agency for State Technology shall conduct a feasibility study that analyzes, evaluates, and provides recommendations for managing state government data in a manner that promotes interoperability and openness; ensures that, wherever legally permissible and not cost prohibitive, such data is available to the public in ways that make the data easy to find and use; and complies with the provisions of chapter 119, Florida Statutes.

(2) By June 1, 2015, the Agency for State Technology shall submit a report on the feasibility study to the Governor, the President of the Senate, and the Speaker of the House of Representatives. The report, at a minimum, shall include the following components:

(a) A clear description of what state government data is public information. The guiding principle for this component is a presumption of openness to the extent permitted by law and subject to privacy, confidentiality, security, and other fiscal and legal restrictions.

(b) A fiscal analysis that identifies the impact to any agency that is authorized to assess a fee for providing certain state government data to the public if the description in paragraph (a) includes that data.

(c) Recommended standards to make uniform the format and accessibility of public information and to ensure that the data is published in a nonproprietary, searchable, sortable, platform-independent, and machine-readable format. The report shall include the projected cost to state agencies to implement and maintain the standards.

(d) A project plan for implementing a single Internet website that contains the public information or links to the public information. The plan shall include a timeline and benchmarks for making public information available online and shall identify costs associated with the development and ongoing maintenance of the website.

(e) A recommended governance structure and a review and compliance process to ensure accountability on the part of those who create, maintain, manage, or store public information or post it on the single Internet website. The report shall include associated costs to implement and maintain the recommended governance structure and the review and compliance process.

Section 31. Effective June 30, 2014, there is created the state data center task force comprised of all individuals who, upon that date are members of the boards of trustees of the Northwood Shared Resource Center or the Southwood Shared Resource Center, and agree to serve on the task force. The members of the task force shall elect a chair. The purpose of the task force is to assist with the transfer of the Northwood Shared Resource Center and Southwood Shared Resource Center to the Agency for State Technology and the transition to the state data center established pursuant to s. 282.201, Florida Statutes. The task force shall identify any operational or fiscal issues impacting the transition and provide recommendations to the Agency for State Technology for resolution of such issues. The task force does not have authority to make decisions regarding the state data center or the former Northwood Shared Resource Center or Southwood Shared Resource Center. The task force is abolished June 30, 2015, or at an earlier date as provided by the task force.

Section 32. (1) For the 2014-2015 fiscal year, the sums of \$3,563,573 in recurring funds and \$1,095,005 in nonrecurring funds are appropriated from the General Revenue Fund to the Agency for State Technology, and 25 full-time equivalent positions and associated salary rate of 2,083,482 are authorized, for the purpose of implementing this act.

(2)(a) The recurring general revenue funds shall be allocated to an Executive Direction and Support Services budget entity in specific appropriation categories: \$2,851,452 in Salaries and Benefits, \$252,894 in Expenses, \$115,000 in Administrative Overhead, \$10,000 in Operating Capital Outlay, \$317,627 in Contracted Services, \$3,000 in Risk Management Insurance, \$8,600 in Transfer to Department of Management Services/Statewide Human Resources Contract, and \$5,000 in Data Processing Services/Southwood Shared Resource Center.

(b) The nonrecurring general revenue funds shall be allocated to an Executive Direction and Support Services budget entity in specific appropriation categories: \$95,005 in Expenses and \$1,000,000 in Contracted Services.

Section 33. A Data Center Administration budget entity is created within the Agency for State Technology. Appropriations to the Data Center Administration budget entity shall reflect the indirect data center costs allocated to customer agencies.

Section 34. For the 2014-2015 fiscal year only, the Northwood Shared Resource Center budget entity is created within the Agency for State Technology. Effective July 1, 2014, the appropriations provided for the Northwood Shared Resource Center in the General Appropriations Act for the 2014-2015 fiscal year shall be transferred to the Northwood Shared Resource Center budget entity within the Agency for State Technology.

Section 35. For the 2014-2015 fiscal year only, the Southwood Shared Resource Center budget entity is created within the Agency for State Technology. Effective July 1, 2014, the appropriations provided for the

Southwood Shared Resource Center in the General Appropriations Act for the 2014-2015 fiscal year shall be transferred to the Southwood Shared Resource Center budget entity within the Agency for State Technology.

Section 36. (1) For the 2014-2015 fiscal year, the sums of \$144,870 in recurring funds and \$7,546 in nonrecurring funds are appropriated from the General Revenue Fund to the Department of Law Enforcement, and 2 full-time equivalent positions and associated salary rate of 93,120 are authorized, for the purpose of implementing the sections of this act related to cybercrime capacity and capability.

(2)(a) The recurring general revenue funds shall be allocated to the Provide Investigative Services budget entity in specific appropriation categories: \$131,660 in Salaries and Benefits, \$12,522 in Expenses, and \$688 in Transfer to Department of Management Services/Statewide Human Resources Contract.

(b) The nonrecurring general revenue funds of \$7,546 shall be allocated to the Provide Investigative Services budget entity in the Expenses appropriation category.

Section 37. Beginning with the 2015-2016 fiscal year, the State Data Center budget entity is created within the Agency for State Technology. Appropriations to the State Data Center budget entity shall reflect the direct data center costs allocated to customer agencies.

Section 38. (1) From the funds appropriated in section 32, \$500,000 in nonrecurring general revenue funds shall be used by the Agency for State Technology to contract with an independent third party consulting firm to complete a risk assessment of information technology security that analyzes and provides recommendations for protecting the state's information, data, and information technology resources. The risk assessment shall:

(a) Focus on the state data center created in s. 282.201, Florida Statutes, and the state data center's state agency customers.

(b) Identify the existing security standards, guidelines, frameworks, and practices currently managing the state's information, data, and information technology resources.

(c) Evaluate industry best practices, standards, guidelines, and frameworks and provide recommendations to increase overall security within the state data center and its state agency customers.

(d) Identify the differences between current operations or practices and the Agency for State Technology's recommendations and prioritize the identified gaps in order of relative importance to state agency customers' business objectives.

(2) The Agency for State Technology shall submit the results of the completed risk assessment to the Governor, the President of the Senate, and the Speaker of the House of Representatives by June 30, 2015.

Section 39. (1) The Agency for State Technology shall complete an operational assessment of the state data center created by s. 282.201, Florida Statutes. The operational assessment shall focus on:

(a) Standardizing the state data center's operational processes and practices to include its cost recovery methodologies.

(b) Identifying duplication of any staff resources supporting the operation of the state data center and any positions created within the Agency for State Technology.

(2) Based upon the results of the operational assessment, the Agency for State Technology shall provide recommendations for the potential reorganization of the state data center, including recommendations for the reduction or reclassification of duplicative positions, and submit its recommendations to the Governor, the President of the Senate, and the Speaker of the House of Representatives by February 1, 2015.

Section 40. Notwithstanding s. 216.292(4)(d), Florida Statutes, the transfers authorized in sections 2 and 3 of this act do not require Legislative Budget Commission approval.

Section 41. Except as otherwise expressly provided in this act and except for this section, which shall take effect upon this act becoming a law, this act shall take effect July 1, 2014.

#### **TITLE AMENDMENT**

Remove everything before the enacting clause and insert:

A bill to be entitled

An act relating to information technology governance; transferring the Agency for Enterprise Information Technology to the Agency for State Technology; voiding certain rules of the Agency for Enterprise Information Technology; transferring the Northwood Shared Resource Center and Southwood Shared Resource Center to the Agency for State Technology; repealing s. 14.204, F.S., relating to creation of the Agency for Enterprise Information Technology; reordering and amending s. 20.055, F.S.; revising the term "state agency" to include the Agency for State Technology for purposes of provisions relating to agency inspectors general; creating s. 20.61, F.S.; creating the Agency for State Technology; providing that executive director shall serve as the state's chief information officer; establishing certain agency positions; establishing the Technology Advisory Council; providing for membership and duties of the council; providing that members of the council are governed by the Code of Ethics for Public Officers and Employees; amending s. 215.96, F.S.; requiring the executive director of the Agency for State Technology to serve on an information subsystem coordinating council established by the Chief Financial Officer; amending s. 216.023, F.S.; requiring certain legislative budget requests to include certain project management and oversight standards; amending s. 282.0041, F.S.; revising, creating, and deleting definitions used in the Enterprise Information Technology Services Management Act; creating s. 282.0051, F.S.; providing powers, duties, and functions of the Agency for State Technology; authorizing the agency to adopt rules; creating s. 282.00515, F.S.; requiring the Department of Legal Affairs, the Department of Financial Services, and the Department of Agriculture and Consumer Services to adopt certain technical standards or alternatives to those standards and authorizing such departments to contract with the Agency for State Technology for certain purposes; repealing ss. 282.0055 and 282.0056, F.S., relating to various duties of the Agency for Enterprise Information Technology; amending s. 282.201, F.S., relating to the state data center system; establishing a state data center within the Agency for State Technology; requiring the agency to provide data center services; requiring state agencies to provide certain information; revising schedules for consolidation of state agency data centers and computing facilities into the state data center; revising exemptions from consolidation; revising limitations on state agency computing facilities and data centers; repealing s. 48 of chapter 2013-41, Laws of Florida, relating to agency data center consolidation schedules; repealing ss. 282.203, 282.204, and 282.205, F.S., relating to primary data centers, the Northwood Shared Resource Center, and the Southwood Shared Resource Center, respectively; amending s. 282.318, F.S.; changing the name of the Enterprise Security of Data and Information Technology Act; defining the term "agency" as used in the act; requiring the Agency for State Technology to establish and publish certain security standards and processes; requiring state agencies to perform certain security-related duties; requiring the agency to adopt rules; conforming provisions; repealing s. 282.33, F.S., relating to standards for data center energy efficiency; repealing s. 282.34, F.S., relating to the planning and provision of a statewide e-mail service; creating s. 287.0591, F.S.; limiting the terms of certain competitive solicitations for information technology commodities; providing an exception; amending s. 943.0415, F.S.; providing additional duties of the Cybercrime Office of the Department of Law Enforcement; requiring the office to coordinate with the Agency for State Technology in the adoption of specified rules; amending s. 1004.649, F.S.; revising provisions regarding service-level agreements entered into by the Northwest Regional Data Center; conforming provisions; amending ss. 17.0315, 110.205, 215.322, 287.057, 327.301, 445.011, 445.045, and 668.50, F.S.; conforming provisions to changes made by the act; requiring the Agency for State Technology to conduct a study and submit a report to the Governor and Legislature; creating a state data center task force; providing for membership, duties, and abolishment of the task force; providing appropriations and authorizing positions; requiring the Agency for State Technology to complete an operational assessment; requiring reports to the Governor and Legislature; providing that certain reorganizations within state agencies do not require approval by the Legislative Budget Commission; providing effective dates.

Rep. McKeel moved the adoption of the amendment, which was adopted.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

**HB 7031**—A bill to be entitled An act relating to education; amending s. 11.45, F.S.; requiring the Auditor General to notify the Legislative Auditing Committee if a district school board fails to take corrective action subsequent to an audit; amending s. 120.74, F.S.; exempting educational units from rule review and reporting requirements; amending s. 120.81, F.S.; conforming cross-references; amending s. 409.1451; conforming cross-references; repealing ss. 411.226, 411.227, and 411.228, F.S., relating to the Learning Gateway program; amending s. 496.404, F.S.; conforming cross-references; amending s. 775.215 F.S.; conforming cross-references; amending s. 984.151, F.S.; authorizing a district school superintendent's designee to submit a truancy petition; repealing s. 1000.01(5), F.S., relating to obsolete education governance transfers; amending s. 1000.21, F.S.; revising the definition of the term "Next Generation Sunshine State Standards"; repealing ss. 1000.33 and 1000.37, F.S., relating to the distribution of copies of educational compacts to other states; amending s. 1001.10, F.S.; deleting and revising certain duties of the Commissioner of Education relating to educational plans and programs; repealing s. 1001.25, F.S., relating to educational television; amending s. 1001.26, F.S.; revising Department of Education duties relating to the public broadcasting program system; prohibiting the use of educational television stations for the advancement of political candidates; providing penalties; repealing ss. 1001.47(7) and 1001.50(6), F.S., relating to obsolete district school superintendent salary provisions; repealing s. 1001.62, F.S., relating to obsolete provisions for the transfer of benefits arising under local or special acts; repealing s. 1001.73(3), F.S., relating to the abolished Board of Regents as trustee; amending s. 1002.20, F.S.; correcting cross-references and conforming provisions; amending s. 1002.31, F.S.; revising provisions relating to school district controlled open enrollment plans; amending s. 1002.3105, F.S.; conforming provisions; amending s. 1002.321, F.S.; conforming provisions; amending s. 1002.33, F.S.; deleting required training before charter school application; conforming cross-references and provisions; amending s. 1002.34, F.S.; conforming cross-references; revising provisions relating to department assistance to charter technical career centers; amending s. 1002.345, F.S.; revising provisions relating to expedited review of deteriorating financial conditions for a charter school or charter technical career center; deleting an annual reporting requirement; amending s. 1002.39, F.S.; deleting obsolete provisions relating to eligibility for a John M. McKay Scholarship; amending s. 1002.41, F.S.; correcting cross-references; repealing s. 1002.415, F.S., relating to the K-8 Virtual School Program; amending s. 1002.45, F.S.; conforming cross-references; amending s. 1002.455, F.S.; conforming provisions; repealing s. 1002.65, F.S., relating to aspirational goals for credentials of prekindergarten instructors; amending s. 1003.01, F.S.; conforming cross-references; amending s. 1003.02, F.S.; requiring instructional materials to be consistent with course descriptions; amending s. 1003.03, F.S.; conforming cross-references; amending s. 1003.41, F.S.; deleting an obsolete cost analysis requirement relating to a separate financial literacy course; amending s. 1003.4156, F.S.; revising course and assessment requirements for middle grades students for promotion to high school; providing an exemption for transfer students from certain course grade and assessment requirements; repealing s. 1003.428, F.S., relating to obsolete requirements for high school graduation; amending s. 1003.4281, F.S.; conforming cross-references; amending s. 1003.4282, F.S.; revising course and assessment requirements for the award of a standard high school diploma; providing requirements for a student in an adult general education program to be awarded a standard high school diploma; revising requirements for award of a certificate of completion; providing an exemption for transfer students from certain course grade and assessment requirements; providing specificity regarding course and assessment requirements for graduation for certain cohorts of high school students transitioning to new graduation requirements; providing for future repeal of transition requirements; amending s. 1003.4285, F.S.; revising requirements for standard high school diploma designations; amending s. 1003.438, F.S.; conforming cross-references; repealing s. 1003.451(5), F.S., relating to State Board of Education rulemaking; amending s. 1003.49, F.S.; conforming cross-

references; amending s. 1003.493, F.S.; conforming a cross-reference; amending s. 1003.4935, F.S.; conforming a cross-reference; amending s. 1003.57, F.S., relating to exceptional student instruction; amending s. 1003.621, F.S.; revising audit criteria for academically high-performing school districts; repealing s. 1004.02(4), F.S., relating to the definition of the term "adult high school credit program"; amending s. 1004.0961, F.S.; providing for Board of Governors regulations; repealing s. 1004.3825, F.S., relating to authorization for a medical degree program; repealing s. 1004.387, F.S., relating to authorization for a pharmacy degree program; repealing s. 1004.445(2), F.S., relating to the board of directors of the Johnnie B. Byrd, Sr., Alzheimer's Center and Research Institute; repealing s. 1004.75, F.S., relating to training school consolidation pilot projects; amending s. 1004.935, F.S.; conforming cross-references; repealing s. 1006.141, F.S., relating to a statewide school safety hotline; amending s. 1006.147, F.S.; deleting obsolete provisions relating to school district bullying and harassment policies; repealing s. 1006.148(2), F.S., relating to a department-developed model dating violence and abuse policy; amending s. 1006.15, F.S.; conforming cross-references; amending s. 1006.28, F.S.; conforming provisions relating to instructional materials; amending s. 1006.31, F.S.; conforming provisions relating to duties of an instructional materials reviewer; amending s. 1006.34, F.S.; revising provisions relating to standards used in the selection of instructional materials; amending s. 1006.40, F.S.; revising provisions relating to district school board purchase of instructional materials; amending s. 1006.42, F.S.; conforming provisions relating to the responsibility of parents for instructional materials; amending s. 1007.02, F.S.; deleting a popular name and providing applicability for the term "student with a disability"; amending s. 1007.2615, F.S.; deleting obsolete provisions relating to an American Sign Language task force; amending s. 1007.263, F.S.; conforming cross-references; amending ss. 1007.264 and 1007.265, F.S.; conforming provisions; amending s. 1007.271, F.S.; correcting cross-references; amending s. 1008.22, F.S.; conforming and revising provisions relating to the implementation of statewide, standardized comprehensive assessments, end-of-course assessments, and waivers for students with disabilities; requiring the commissioner to publish an implementation schedule for transition to new assessments; conforming provisions relating to concordant scores and comparative scores for assessments; amending s. 1008.25, F.S.; conforming assessment provisions for student progression; amending s. 1008.33, F.S.; deleting obsolete provisions relating to implementation of certain school turnaround options; repealing s. 1008.331, F.S., relating to supplemental educational services in Title I schools; amending s. 1008.3415, F.S.; correcting a cross-reference; repealing s. 1008.35, F.S., relating to best financial management practices for school districts; amending s. 1009.22, F.S.; deleting obsolete provisions relating to workforce education postsecondary student fees; amending s. 1009.40, F.S.; conforming cross-references; amending s. 1009.531, F.S.; conforming cross-references; amending s. 1009.532, F.S.; correcting cross-references; amending s. 1009.536, F.S.; correcting cross-references; repealing s. 1009.56, F.S., relating to the Seminole and Miccosukee Indian Scholarship Program; repealing s. 1009.69, F.S., relating to the Virgil Hawkins Fellows Assistance Program; amending s. 1009.91, F.S.; conforming a cross-reference; amending s. 1009.94, F.S.; conforming a cross-reference; repealing part V of chapter 1009, F.S., relating to the Florida Higher Education Loan Authority; repealing s. 1011.71(3)(b) and (c), F.S., relating to expired authorization for certain millage levy; repealing s. 1011.76(4), F.S., relating to best financial management practices review under the Small School District Stabilization Program; amending s. 1011.80, F.S.; correcting a cross-reference; amending s. 1012.05, F.S.; deleting department and commissioner duties relating to teacher recruitment and retention; amending s. 1012.22, F.S.; conforming provisions; repealing s. 1012.33(9), F.S., relating to obsolete provisions for payment of professional service contracts; amending s. 1012.34, F.S.; correcting cross-references relating to measuring student performance in personnel evaluations; amending s. 1012.44, F.S.; deleting obsolete provisions; amending s. 1012.561, F.S.; deleting an obsolete provision; repealing s. 1012.595, F.S., relating to an obsolete saving clause for educator certificates; amending s. 1012.885, F.S.; deleting certain provisions relating to remuneration of Florida College System institution presidents; amending s. 1012.975, F.S.; deleting certain provisions relating to remuneration of state

university presidents; amending s. 1012.98, F.S.; requiring continuing education training for kindergarten teachers; amending s. 1013.35, F.S.; revising audit requirements for school district educational planning and construction activities; amending s. 1013.47, F.S.; deleting provisions relating to payment of wages of certain persons employed by contractors; repealing s. 1013.49, F.S., relating to toxic substances in educational facilities; repealing s. 1013.512, F.S., relating to the Land Acquisition and Facilities Advisory Board; repealing s. 1013.54, F.S., relating to the cooperative development and use of satellite educational facilities; repealing s. 20 of chapter 2010-24, Laws of Florida, relating to Department of Revenue authorization to adopt emergency rules; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**HB 97**—A bill to be entitled An act relating to dentists and dental hygienists; amending s. 766.1115, F.S.; revising the definition of the term "contract"; requiring that a contract with a governmental contractor for health care services include a provision allowing a voluntary contribution toward certain dental laboratory work; providing that the contribution may not exceed the actual amount of the dental laboratory charges; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/HB 7007**—A bill to be entitled An act relating to public records; amending s. 338.155, F.S., relating to the payment of tolls and associated charges; providing an exemption from public records requirements for personal identifying information; providing for retroactive application of the exemption; providing for future legislative review and repeal of the exemption; providing a statement of public necessity; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/HB 173**—A bill to be entitled An act relating to juvenile justice education programs; amending s. 985.622, F.S.; revising requirements for the multiagency education plan for students in juvenile justice education programs, including virtual education as an option; amending s. 1001.31, F.S.; authorizing instructional personnel at all juvenile justice facilities to access specific student records at the district; amending s. 1003.51, F.S.; revising terminology; revising requirements for rules to be maintained by the State Board of Education; providing expectations for effective education programs for students in Department of Juvenile Justice programs; revising requirements for contract and cooperative agreements for the delivery of appropriate education services to students in Department of Juvenile Justice programs; requiring the Department of Education to ensure that juvenile justice students who are eligible have access to high school equivalency testing and assist juvenile justice education programs with becoming high school equivalency testing centers; revising requirements for an accountability system all juvenile justice education programs; revising requirements to district school boards; amending s. 1003.52, F.S.; revising requirements for activities to be coordinated by the coordinators for juvenile justice education programs; authorizing contracting for educational assessments; revising requirements for assessments; authorizing access to local virtual education courses; requiring that an education program shall be based on each student's transition plan and assessed educational needs; providing requirements for prevention and day treatment juvenile justice education programs; requiring progress monitoring plans for all students not classified as exceptional student education students; revising requirements for such plans; requiring that the Department of Education, in partnership with the Department of Juvenile Justice, ensure that school districts and juvenile justice education providers develop individualized transition plans; providing requirements for such plans; providing that the Secretary of Juvenile Justice or the director of a juvenile justice program may request that a school district teacher's performance be reviewed by the district and that the teacher be

reassigned in certain circumstances; requiring the Department of Education to establish by rule objective and measurable student performance measures and program performance ratings; providing requirements for such ratings; requiring a comprehensive accountability and program improvement process; providing requirements for such a process; deleting provisions for minimum thresholds for the standards and key indicators for education programs in juvenile justice facilities; revising data collection and annual report requirements; deleting provisions concerning the Arthur Dozier School for Boys; requiring rulemaking; amending s. 1001.42, F.S.; revising terminology; revising a cross-reference; providing an effective date.

—was read the second time by title and, under Rule 10.10(b), referred to the Engrossing Clerk.

**CS/CS/HB 277**—A bill to be entitled An act relating to the joint use of public school facilities; creating s. 768.072, F.S.; authorizing district school boards to enter into joint-use agreements or adopt public access policies; providing immunity from liability for a district school board that enters into a joint-use agreement or adopts public access policies except in instances of gross negligence or intentional misconduct; providing applicability; providing an effective date.

—was read the second time by title.

Representative Rouson offered the following:

(Amendment Bar Code: 293193)

**Amendment 1 (with title amendment)**—Remove lines 21-22 and insert: public access policies unless the district school board owed a duty of care to the injured party and the injured party shows that a breach of that duty is a

#### TITLE AMENDMENT

Remove lines 8-9 and insert:  
public access policies except where the district school board owed a duty of care to the injured party and a breach of that duty caused injury, damage, or death; providing

Rep. Rouson moved the adoption of the amendment, which failed of adoption.

Under Rule 10.10(b), the bill was referred to the Engrossing Clerk.

## House Resolution

**HR 9013**—House Resolution A resolution recognizing the month of March 2014 as "Women's History Month."

WHEREAS, women have made historic contributions to the growth and strength of this state in countless recorded and unrecorded ways, and

WHEREAS, women have played and continue to play a critical economic, cultural, and social role in every sphere of life by constituting a significant portion of the labor force working inside and outside of the home, and

WHEREAS, women have played a unique role throughout the history of the nation through continual, active participation in the volunteer labor force and were particularly important in the establishment of early charitable, philanthropic, and cultural institutions, and

WHEREAS, women of every race, class, and ethnic background served as early leaders in the forefront of major progressive movements to improve society, and

WHEREAS, women have been leaders, not only in securing their own rights of suffrage and equal opportunity, but also in the abolitionist movement, the industrial labor movement, the civil rights movement, the environmental justice movement, and other social justice campaigns, especially the peace movement, creating a more fair and just society for all, and

WHEREAS, in recognition of the contributions of women, Congress has passed a resolution each year since 1987 designating the month of March as "Women's History Month," and

WHEREAS, the theme of Women's History Month in 2014 is "Celebrating Women of Character, Courage, and Commitment," and the month of March presents special opportunities to celebrate the wisdom and tenacity of generations of women who have come before us and those who will follow and to acknowledge the courage, determination, and steadfastness needed to move history forward, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That March 2014 is recognized as "Women's History Month," and the residents of this state are called upon to observe this and every March by participating in programs, ceremonies, and activities to foster an awareness of and appreciation for the contributions made by women that have benefited and improved society.

—was read the second time in full. On motion by Rep. Berman, the resolution was adopted.

## Motion to Adjourn

Rep. Crisafulli moved that the House, after receiving reports, adjourn for the purpose of holding committee and subcommittee meetings and conducting other House business, to reconvene at 3:30 p.m., Wednesday, March 12, 2014, or upon call of the Chair. The motion was agreed to.

## Messages from the Senate

*The Honorable Will Weatherford, Speaker*

I am directed to inform the House of Representatives that the Senate has passed CS for CS for HB 7015.

*Debbie Brown, Secretary*

The above bill was ordered enrolled.

## First-named Sponsors

CS/HB 41—Kerner

HB 1015—Porter

HB 7107—Wood

HB 7109—Hudson

HB 7111—Steube

HR 9017—Porter

HR 9025—Renuart

## Cosponsors

CS/HB 3—Baxley

HB 25—Fitzenhagen

CS/HB 73—Adkins

HB 95—Cruz

HB 141—J. Diaz, Fresen, Nuñez, Pritchett

CS/HB 159—Cruz, Hood

HB 201—Albritton

CS/CS/HB 277—Raburn

HM 281—Van Zant

HB 359—Campbell

HB 367—Mayfield, A. Williams

CS/HB 409—Mayfield, McBurney

HB 447—Berman

HB 479—Combee

CS/CS/HB 523—Albritton, Beshears, Cummings, Van Zant

CS/HB 525—Albritton, Cummings

HB 545—Patronis

HB 551—Fresen, Patronis

CS/HB 569—Van Zant

CS/HB 575—Boyd, Magar, Porter

HB 649—Combee

CS/HB 697—Mayfield

CS/HB 703—Peters

HB 771—Beshears

CS/CS/HB 851—Campbell

HB 869—Cruz

HB 939—Rehwinkel Vasilinda

HB 977—J. Diaz

HB 995—Gibbons, Moskowitz

HB 1047—Ahern, Eagle, Hill, Van Zant

HB 1113—Beshears, Cummings

HB 1313—C. Watson

HB 1361—Gaetz

CS/CS/HB 7015—Rogers

HB 7017—Adkins

CS/CS/HB 7021—Cummings

CS/CS/HB 7025—Adkins

CS/HB 7027—Adkins, Cruz

HR 9013—Adkins, Campbell, Cruz, Edwards, Fitzenhagen, Gibbons, Hager, Mayfield, McGhee, Moskowitz, Murphy, Pafford, Passidomo, Patronis, Peters, Pilon, Pritchett, Rader, Raschein, Rehwinkel Vasilinda, Richardson, Rouson, Schwartz, Slosberg, Stafford, Stewart, Taylor, Torres, B. Watson, C. Watson, A. Williams, Zimmermann

HR 9017—Caldwell, Ray

HR 9021—Adkins, Ahern, Baxley, Bileca, Brodeur, Caldwell, Coley, Combee, Corcoran, Crisafulli, J. Diaz, M. Diaz, Eagle, Edwards, Fitzenhagen, Fresen, Gonzalez, Hager, Harrell, Hooper, Hudson, Ingram,

Kerner, La Rosa, Mayfield, McBurney, McGhee, McKeel, Metz, Moskowitz, Murphy, Nelson, Nuñez, O'Toole, Patronis, Perry, Peters, Pigman, Pilon, Porter, Pritchett, Raburn, Rader, Rangel, Raschein, Ray, Rehwinkel Vasilinda, Renuart, K. Roberson, R. Rodrigues, Rouson, Slosberg, Spano, Stafford, Steube, Taylor, Van Zant, C. Watson, A. Williams, Zimmermann

HR 9023—Adkins, Ahern, Albritton, Baxley, Berman, Beshears, Brodeur, Broxson, Caldwell, Campbell, Clelland, Coley, Combee, Corcoran, Cummings, J. Diaz, M. Diaz, Dudley, Eagle, Edwards, Fitzenhagen, Fresen, Gonzalez, Goodson, Hager, Harrell, Hill, Holder, Hooper, Hudson, Ingram, S. Jones, Kerner, La Rosa, Mayfield, McBurney, McGhee, McKeel, Metz, Murphy, Nelson, Nuñez, O'Toole, Pafford, Passidomo, Patronis, Perry, Pigman, Pilon, Porter, Raburn, Rader, Rangel, Raschein, Raulerson, Ray, Rehwinkel Vasilinda, Richardson, K. Roberson, R. Rodrigues, Rooney, Rouson, Smith, Spano, Steube, Stewart, Stone, Tobia, Torres, Trujillo, Van Zant, C. Watson, Wood, Workman, Young, Zimmermann

HR 9025—Caldwell, Rangel, Ray

## Introduction and Reference

By the Rulemaking Oversight & Repeal Subcommittee; Representative **Wood**—

**HB 7107**—A bill to be entitled An act relating to administrative procedures; amending s. 120.54, F.S.; revising requirements for the content of notices of rule development; revising the scope of public workshops to include information gathering for the preparation of statements of estimated regulatory costs; revising requirements for notices of proposed rules; authorizing electronic delivery of notices to persons who have requested advance notice of agency rulemaking proceedings; revising requirements for an agency's filing of specified information with the Administrative Procedures Committee; creating a presumption of adverse impact on small business in specified circumstances; requiring certain agency personnel to attend public hearings on proposed rules; requiring an agency to publish a notice of convening a separate proceeding in certain circumstances; tolling rulemaking deadlines during such separate proceedings; revising requirements for the contents of a notice of change; amending s. 120.541, F.S.; revising requirements for substantially affected persons to submit proposals for lower cost regulatory alternatives to a proposed rule following a notice of change; revising requirements for an agency's consideration of such lower cost regulatory alternatives; providing for an agency's revision and publication of a revised statement of estimated regulatory costs in response to such lower cost regulatory alternatives; deleting definition of "transactional costs"; providing additional requirements for the calculation of estimated regulatory costs; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Select Committee on Health Care Workforce Innovation; Representative **Hudson**—

**HB 7109**—A bill to be entitled An act relating to graduate medical education; amending s. 381.4018, F.S.; requiring the Physician Workforce Advisory Council within the Department of Health to conduct an annual survey of certain medical schools, hospitals, and other entities regarding graduate medical education programs; providing reporting criteria; requiring the department to consult with the Department of Economic Opportunity, the Board of Governors, and the Council of Florida Medical School Deans to develop survey content and design; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

## First Reading of Committee and Subcommittee Substitutes by Publication

By the Health Innovation Subcommittee; Representatives **J. Diaz, Coley, Fresen, Hager, Harrell, and Hood**—

**CS/HB 27**—A bill to be entitled An act relating to the statewide prepaid dental program; creating s. 409.91205, F.S.; providing legislative findings and intent; creating the Medicaid statewide prepaid dental program; directing the Agency for Health Care Administration to contract with prepaid dental health plans meeting specified criteria; directing the agency to apply for and implement state plan amendments or waivers of applicable federal laws and regulations necessary to implement the statewide prepaid dental program; directing the agency to extend certain contracts with prepaid dental health plans; providing that enrollment in the statewide prepaid dental program shall not begin until the necessary state plan amendments or waivers of applicable federal laws and regulations are obtained and implemented; providing that a child who is eligible to receive Medicaid benefits during a specified period shall receive dental services through the Medicaid managed medical assistance program; directing the agency to provide any required notice to recipients regarding the transition from the Medicaid managed medical assistance program to the statewide prepaid dental program; providing that the agency may assess the costs incurred in providing the notice to plans participating in the statewide prepaid dental program; requiring prepaid dental plans participating in the statewide prepaid dental program to submit encounter data; providing that the agency shall require a medical loss ratio for prepaid dental plans participating in the statewide prepaid dental program; requiring the agency to submit an annual report to the Governor and Legislature; specifying the contents of the report; amending s. 409.973, F.S.; removing the requirement that managed care plans participating in the Medicaid managed assistance program provide pediatric dental services; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Criminal Justice Subcommittee; Representatives **Campbell, Rehwinkel Vasilinda, and C. Watson**—

**CS/HB 41**—A bill to be entitled An act relating to the Florida Law Enforcement Officers' Hall of Fame; creating s. 265.004, F.S.; establishing the Florida Law Enforcement Officers' Hall of Fame; providing for administration by the Department of Law Enforcement; designating location; providing procedures for selection, nomination, and induction; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Insurance & Banking Subcommittee; Representative **Raburn**—

**CS/HB 143**—A bill to be entitled An act relating to the Florida Insurance Guaranty Association; amending s. 631.54, F.S.; defining the term "assessment year"; amending s. 631.57, F.S.; revising provisions relating to the levy of assessments on insurers; specifying the conditions under which such assessments are paid; revising procedures and timeframes for levy of the assessments; revising an exemption for assessments; amending s. 631.64, F.S.; requiring charges or recoupments to be displayed separately on premium bills to policyholders and prohibiting their inclusion in rates; amending ss. 627.727 and 631.55, F.S.; conforming cross-references; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Justice Appropriations Subcommittee; and Criminal Justice Subcommittee; Representatives **Trujillo and Van Zant**—

**CS/CS/HB 265**—A bill to be entitled An act relating to arrest booking photographs; amending s. 951.23, F.S.; providing definitions; prohibiting a county or municipal detention facility from electronically publishing arrest booking photographs of certain arrestees; providing exceptions; providing construction; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Local & Federal Affairs Committee; Representatives **Pigman and Van Zant**—

**CS/HB 503**—A bill to be entitled An act relating to municipal governing body meetings; amending s. 166.0213, F.S.; authorizing the governing body of a municipality to hold joint meetings with the governing body of the county within which the municipality is located or the governing body of another municipality; authorizing the governing body of a municipality to prescribe the time and place of joint meetings by ordinance or resolution; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Justice Appropriations Subcommittee; and Criminal Justice Subcommittee; Representative **La Rosa**—

**CS/CS/HB 641**—A bill to be entitled An act relating to computer crimes; amending s. 721.071, F.S.; conforming a cross-reference; amending s. 815.02, F.S.; revising legislative findings; amending s. 815.03, F.S.; revising and providing definitions; amending s. 815.04, F.S.; providing that a person who willfully, knowingly, and without authorization modifies or destroys data, programs, or supporting documentation residing or existing internal or external to an electronic device commits an offense against intellectual property; providing that a person who willfully, knowingly, and without authorization discloses or takes data, programs, or supporting documentation that is a trade secret or is confidential as provided by law residing or existing internal or external to an electronic device commits an offense against intellectual property; providing criminal penalties; amending s. 815.06, F.S.; defining the term "person"; providing that a person who willfully, knowingly, and without authorization accesses an electronic device, disrupts the ability to transmit data to or from a user of computer network services, damages an electronic device or equipment or supplies used by an electronic device, introduces a computer contaminant into an electronic device, or engages in the audio or video surveillance of an individual without the individual's knowledge by accessing a computer, computer system, computer network, or electronic device commits an offense against the users of computer networks and electronic devices; providing criminal penalties; providing exceptions; providing that the Florida Computer Crimes Act does not impose liability on certain providers of specified services; creating s. 815.061, F.S.; defining the term "public utility"; prohibiting a person from willfully, knowingly, and without authorization engaging in specified activities against a computer, computer system, computer network, or electronic device owned, operated, or used by a public utility; providing criminal penalties; amending s. 921.0022, F.S.; conforming provisions of the offense severity ranking chart to changes made by the act; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Criminal Justice Subcommittee; Representatives **Trujillo and Slosberg**—

**CS/HB 989**—A bill to be entitled An act relating to human trafficking; amending s. 39.01, F.S.; including human trafficking in the definition of the term "sexual abuse of a child"; amending s. 92.56, F.S.; including human trafficking within provisions providing for confidentiality of court records

concerning certain offenses involving children; amending s. 787.06, F.S.; clarifying the offense of human trafficking; amending s. 960.065, F.S.; providing that victims of human trafficking are eligible for crime victim compensation awards under certain circumstances; amending s. 960.199, F.S.; allowing victims of human trafficking to be eligible for financial relocation assistance; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

By the Criminal Justice Subcommittee; Representative **Adkins**—

**CS/HB 1105**—A bill to be entitled An act relating to sexual predator and sexual offender absconders; creating s. 16.581, F.S.; providing legislative findings; creating the Sexual Predator and Sexual Offender Absconder Strike Force within the Office of the Attorney General; providing definitions; providing for the membership and terms of the strike force; requiring the office to provide administrative services to the strike force; requiring the strike force to organize by a specified date; providing for meetings; specifying the duties of the strike force; requiring an annual report to the Governor and Legislature; providing an effective date.

First reading by publication (Art. III, s. 7, Florida Constitution).

## Reference

**HB 1383**—Referred to the Select Committee on Gaming; Regulatory Affairs Committee; and Appropriations Committee.

## House Resolutions Adopted by Publication

At the request of Rep. Van Zant—

**HR 9017**—A resolution recognizing the 150th anniversary of the Battle of Olustee.

WHEREAS, the Battle of Olustee was the largest land battle fought in Florida during the Civil War, involving approximately 11,000 infantry, cavalry, and artillery in a pine forest near Ocean Pond, Florida, with a roughly equal number of both Confederate and Union troops, and

WHEREAS, many soldiers from Florida fought in defense of their homes and families, and all Confederate and Union soldiers fought for causes they believed to be right, and

WHEREAS, the battle ended with 2,807 casualties and aided in preventing the escalation of major hostilities within the interior portions of Florida, and

WHEREAS, February 20, 2014, marked the 150th anniversary of the Battle of Olustee, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That the sacrifices of those who fought in the Battle of Olustee are recognized and the efforts of all who participated in commemorating the 150th anniversary of the Battle of Olustee are commended.

BE IT FURTHER RESOLVED that a copy of this resolution be presented for display at the Olustee Battlefield Historic State Park as a tangible token of the sentiments expressed herein.

—was read and adopted by publication pursuant to Rule 10.17

At the request of Rep. Renuart—

**HR 9025**—A resolution honoring the Florida National Guard and designating March 11, 2014, as "Florida National Guard Day" in the State of Florida.

WHEREAS, as the military arm of the Governor and the people of the State of Florida, in times of crisis or emergency, the Florida National Guard stands ready to immediately respond to a call from the Governor, and

WHEREAS, tracing its roots to the first militia units of the United States formed in 1565 to protect St. Augustine, the Florida National Guard boasts approximately 12,000 highly trained and skilled men and women who serve as soldiers and airmen in today's modern guard, and

WHEREAS, the men and women of the Florida National Guard and their families willingly make sacrifices during times of hurricanes, fires, floods, and other natural disasters, and more than 16,500 members have responded to the call of federal active duty, serving domestically and around the world in contingency operations, and

WHEREAS, in the largest deployment of the National Guard since World War II, the men and women of the Florida National Guard responded without reservation, serving with distinction and honor in Operation Noble Eagle, Operation Enduring Freedom, Operation Iraqi Freedom, Operation New Dawn, and other contingencies, affirming the propriety of the recognition they so richly merit for their faithful and successful service and for the well-placed trust of the residents of this state, and

WHEREAS, the men and women of the Florida National Guard are currently involved in hundreds of community service projects across the state each day while preparing for federal duty, upholding the Florida National Guard's mission to provide military units and personnel ready to support the national security objectives of the United States; protect life and property; preserve peace, order, and public safety; and contribute to such national, state, and local programs that add value to the United States of America and the State of Florida, NOW, THEREFORE,

Be It Resolved by the House of Representatives of the State of Florida:

That in honor of the significant contributions and consistent readiness of the Florida National Guard and to gratefully acknowledge the faithful service of its dedicated soldiers and airmen, March 11, 2014, is designated as "Florida National Guard Day" in the State of Florida.

BE IT FURTHER RESOLVED that a copy of this resolution be presented to Major General Emmett R. Titshaw, Jr., Adjutant General of Florida, as a tangible token of the sentiments expressed herein.

—was read and adopted by publication pursuant to Rule 10.17

## Reports of Standing Committees and Subcommittees

### Received March 10:

The Insurance & Banking Subcommittee reported the following favorably:

HB 143 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 143 was laid on the table.

The Criminal Justice Subcommittee reported the following favorably:

HB 659 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 659 was laid on the table.

The Select Committee on Health Care Workforce Innovation reported the following favorably:

HB 829

The above bill was transmitted to the next committee or subcommittee of reference, the Civil Justice Subcommittee.



**Received March 11:**

The Health Innovation Subcommittee reported the following favorably:  
HB 27 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 27 was laid on the table.

The Criminal Justice Subcommittee reported the following favorably:  
HB 41 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 41 was laid on the table.

The Justice Appropriations Subcommittee reported the following favorably:  
CS/HB 265 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/HB 265 was laid on the table.

The Justice Appropriations Subcommittee reported the following favorably:  
CS/HB 409

The above committee substitute was transmitted to the next committee or subcommittee of reference, the Judiciary Committee.

The Justice Appropriations Subcommittee reported the following favorably:  
CS/HB 485

The above committee substitute was transmitted to the next committee or subcommittee of reference, the Judiciary Committee.

The Criminal Justice Subcommittee reported the following favorably:  
HB 517 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 517 was laid on the table.

The Ethics & Elections Subcommittee reported the following favorably:  
HB 571

The above bill was transmitted to the next committee or subcommittee of reference, the Local & Federal Affairs Committee.

The Ethics & Elections Subcommittee reported the following favorably:  
CS/HB 609

The above committee substitute was transmitted to the next committee or subcommittee of reference, the Judiciary Committee.

The Justice Appropriations Subcommittee reported the following favorably:  
CS/HB 641 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, CS/HB 641 was laid on the table.

The Justice Appropriations Subcommittee reported the following favorably:  
CS/HB 697

The above committee substitute was transmitted to the next committee or subcommittee of reference, the Judiciary Committee.

The Government Operations Appropriations Subcommittee reported the following favorably:  
HB 725

The above bill was transmitted to the next committee or subcommittee of reference, the Regulatory Affairs Committee.

The Agriculture & Natural Resources Subcommittee reported the following favorably:  
HB 987

The above bill was transmitted to the next committee or subcommittee of reference, the Finance & Tax Subcommittee.

The Criminal Justice Subcommittee reported the following favorably:  
HB 989 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 989 was laid on the table.

The Criminal Justice Subcommittee reported the following favorably:  
HB 1013 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 1013 was laid on the table.

The Criminal Justice Subcommittee reported the following favorably:  
HB 1105 with committee substitute

The above committee substitute was transmitted to the Office of the Speaker, subject to referral under Rule 7.19(c). Under the rule, HB 1105 was laid on the table.

The Justice Appropriations Subcommittee reported the following favorably:  
HB 7035

The above bill was transmitted to the next committee or subcommittee of reference, the Judiciary Committee.

**Votes After Roll Call**

[Date(s) of Vote(s) and Sequence Number(s)]

Rep. Rader:

Yeas—March 4: 467

**JOINT SESSION**

[March 4, 2014]

Pursuant to **HCR 8005**, the members of the Senate, escorted by the Sergeant at Arms of the Senate and the Sergeant at Arms of the House, were seated in the Chamber. The President and President Pro Tempore joined the Speaker and Speaker *pro tempore* at the rostrum. The Secretary joined the Clerk at the front desk.

**Arrival of the Lieutenant Governor and Cabinet**

The Honorable Carlos Lopez-Cantera, Lieutenant Governor; the Honorable Pam Bondi, Attorney General; the Honorable Jeffery H. "Jeff" Atwater, Chief Financial Officer; the Honorable Adam H. Putnam, Commissioner of Agriculture and Consumer Services; and members of the

Cabinet, were escorted into the Chamber by the Sergeant at Arms of the Senate and seated.

### Arrival of Supreme Court

Chief Justice Ricky Polston, Justice Charles T. Canady, Justice Jorge Labarga, Justice R. Fred Lewis, Justice Barbara J. Pariente, Justice James E.C. Perry, and Justice Peggy A. Quince, members of the Supreme Court, were escorted into the Chamber by the Sergeant at Arms of the House and seated.

The Speaker presented the gavel to the Honorable Don Gaetz, President of the Senate, asking him to preside over the Joint Session.

THE PRESIDENT OF THE SENATE PRESIDING

A quorum of the Joint Session was declared present.

### Prayer

The following prayer was offered by the Honorable Cynthia A. Stafford:

Let us pray. Heavenly Father, I come before Your throne of grace this morning to say thank You. Thank You, God, for giving us this day. Thank You for life, health, strength—giving us breath in our bodies and air to breathe. As we come together for this joint session, Father God, we thank You for the opportunity to serve the great State of Florida. You have called each of us in this Chamber for such a time as this. We are grateful and mindful of the awesome task at hand and will not take it for granted. Lord, I pray and ask that You bless each of us who have to make decisions on behalf of the people of the State of Florida. Bless us individually and collectively. I pray for the Governor, all Cabinet members, the Chief Justice and Associate Justices of the Supreme Court of Florida. I pray for the Senate President, for the Speaker of the House, and all members of both Chambers.

Lord, I pray that You grant to each of us wisdom, strength, peace, guidance, and protection as we deliberate, discuss, and decide—be our guiding light. Help us to lead with compassion, conviction, and courage. Lord, we rely on and trust Your presence to provide for us this session. As You order our steps, help us to remember to trust in the Lord with all our heart, and lean not to our own understanding. In all our ways acknowledge You, and You shall direct our paths. Father, during this session, when we need wisdom, help us to remember, the Lord giveth wisdom: out of His mouth cometh knowledge and understanding. For peace, Lord, help us to remember, thou wilt keep us in perfect peace, whose mind is stayed on Thee. For strength, Lord, help us to remember, God is our strength and power and He maketh our way perfect. Even when difficulties, challenges, and troubles arise, help us to remember, God is our refuge and strength, a very present help in trouble.

And as we go through session, if we get tired or weak, help us to remember, they that wait upon the Lord shall renew their strength; they shall mount up with wings as eagles; they shall run and not be weary; and they shall walk and not faint. Lord, help us to lead with integrity and honesty, and even when we disagree, help us to still walk in unconditional love and have mutual respect for each other. Lord, I pray that You speak to our hearts and minds to help us do what is fair, just, and right for all of Florida. I pray, Lord, now, that You bless our families, bless our staffs, and all those who help us carry out the business of this state. Bless our constituents and bless this country, Lord. In closing, thank You for a productive session in advance and being with us every step of the way. And like the Psalmist David, I proclaim—The Lord is my shepherd; I shall not want. He maketh me to lie down in green pastures: He leadeth me beside the still waters. He restores my soul: He leadeth me in the paths of righteousness for His name's sake. Yea, though I walk through the valley of the shadow of death, I will fear no evil: for Thou art with me; Thy rod and Thy staff they comfort me. Thou prepares a table before me in the presence of my enemies. Thou anoints my head with oil, my cup runneth over. Surely goodness and mercy will follow me all the days of my life: and I shall dwell in the house of the Lord forever. Amen.

### Pledge

The members, led by the following, pledged allegiance to the Flag: Senate President Pro Tempore Garrett Richter and House Speaker *pro tempore* Marti Coley.

### National Anthem

The Speaker introduced Natasha Sachs, who sang "The Star Spangled Banner" at the invitation of her mother, Senator Maria Lorts Sachs.

### Committee to the Governor

On motion by Rep. Corcoran, the President appointed Senators Galvano (Co-Chair), Altman, Braynon, Diaz de la Portilla, Ring, and Sachs, and on behalf of the Speaker, appointed Representatives Patronis (Co-Chair), Castor Dentel, Cruz, Gonzalez, Holder, and Moskowitz as a joint committee to notify the Governor that the Legislature had assembled to receive his message. The committee retired to execute its responsibility. The committee was accompanied by the Sergeant at Arms of the House.

### Introduction of Special Guests

President Gaetz recognized the following guests: First Lady of the Florida House, Mrs. Courtney Weatherford; [standing ovation] and First Lady of the Senate, Mrs. Vicky Gaetz. [standing ovation]

### Introduction of Former Speaker Allan Bense

**President Gaetz:** Now, I understand that when the House convened earlier and when the Senate convened earlier we had the opportunity to introduce distinguished guests—former members, former presiding officers—we're always delighted to see them. But I asked the Speaker if I could have a point of personal privilege because we in the Senate didn't have the opportunity to greet this great leader today. A few minutes ago he was, not for the first time in his life, near death. And the Senate and the House, and our families and our friends, joined his thousands and thousands of friends and fans across this state to pray for his recovery. And anybody who would count him out would bet on the wrong horse in any race. His perseverance, his diligence, his bravery, his sheer physical strength and courage are unmatched. He stands before you today, the former Speaker of the House, one of the first citizens of the State of Florida, the Honorable Allan Bense. [standing ovation]

### Presentation of the Governor

Upon announcement by the Sergeant at Arms of the Senate, the committee escorted Governor Scott to the rostrum. [standing ovation]

President Gaetz presented Governor Scott. [applause]

### Governor's Address

**Governor Scott:** Good morning. Chief Justice Polston, and distinguished members of the Supreme Court, Attorney General Pam Bondi, Chief Financial Officer Jeff Atwater, Agricultural Commissioner Adam Putnam, and a very special welcome to our new Lieutenant Governor, Carlos Lopez-Cantera. [applause] To President Gaetz, Speaker Weatherford, to the members of the Florida Senate and to the Florida House, thank you for having me. To the former Senate Presidents and House Speakers, it is an honor to address you today.

A lot has happened since I spoke to you last year. I could talk about how our unemployment rate is now down to 6.3 percent. [applause] How our crime rate is at a 42 year low. [applause] How we have invested record funding in protecting our environment and our tourism industry is hitting records. [applause] Or how we have now added more than 460,000 new private sector jobs since the end of 2010. [applause]

But, I want to start off with some developments a little closer to home. I am proud to announce that Ann and I are now the proud grandparents of three grandsons. [applause] Our daughter, Allison, gave us another grandson, Quinton, in July, and Jordan gave us her first child, Sebastian, in September. Please help me welcome the love of my life, First Lady Ann Scott, [applause] our daughter, Jordan, our son-in-law, Jeremy, and our newest grandson, Sebastian. [applause]

There are only a few things more exciting than having a new baby in the family. It is fun to dream about what they will become one day. August, who is our oldest grandson, is the only one old enough to have his own dreams. He's two. Depending on the day, he wants to be a cowboy or a forklift operator. My hope is that Florida will be the place where he can make his dreams come true, whatever they end up being. But that's not where our state was headed a few years ago. Like Washington, Florida's economy was driven into the ground by spending what some called 'free money.' Of course, as you all know, there is no such thing. Florida's big spending racked up big debt. Florida was in a hole. Unemployment was above 11 percent; more than 1 million people in Florida were out of work. Our debt had ballooned to over \$28 billion. The year was 2010. Some say these statistics were because of a global recession. They say it doesn't matter who was running our state—that anyone would have just been a victim of the times. I disagree. [applause]

As Americans, our freedom and our optimism make us anything but victims. Even in the worst circumstances and the toughest times. Our leaders, especially, and every person in our state, are not simply bystanders in the arena of life where the hard battles are fought and history is made. Our people are strong. Our people are dreamers. They came to Florida because they believe in the liberty to build a lasting legacy for generations to come. And that is absolutely worth fighting for, and we did. [applause] We could have kept embracing spending and debt, but we didn't. We could have kept growing government and expecting our challenges to solve themselves, but we didn't. Together, we made government more efficient. Together, we have cut nearly 3,000 regulations on small businesses. Together, we have now paid down \$3.6 billion in state debt and paid off \$3.5 billion we owed the federal government on unemployment debt. [applause]

Working together, Florida rejected the tax-borrow-and-spend approach that was hurting our future. Now, it wasn't easy getting our fiscal house in order, and it wasn't any fun. In my three years as Governor, I have still not had one person come into my office and lobby me to spend less taxpayer money. The simple truth is that the state, just like our small businesses and our families, have to live within our means. We can't spend more than we take in or our kids and our grandkids are going to pay for it. Let's be honest about it, we inherited a terrible mess—growing unemployment, dangerous levels of debt, growing deficits, a crippled housing market. We had two options. We could take the usual political way out by raising taxes and running up more debt. Or we could do the politically hard thing and trim our budget. When the hard thing is the right thing, we need to have the courage to do the hard thing, and we did. [applause]

The result is that Florida is now tied for having the biggest drop in unemployment of all fifty states. [applause] We're one of only a few states that has seen its unemployment start above the national average three years ago to go below the national average in unemployment. And unlike the previous administration, which lost almost one million jobs, we have added almost a half a million jobs in three years. [applause]

Together, we have cut taxes twenty-four times already. And my hope is that we're about to cut them again this year by another \$500 million. [applause] As I tell the hard-working people of Florida as I travel the state, we want you to keep more of the money you earn because it's your money. Working together, we have made Florida not just a destination for tourists, but a destination for opportunity. And when I say that we have done it, I don't mean just those of us here in this Chamber today. No, the real credit goes to the hard-working and the industrious people of Florida. [applause]

I know that it has become fashionable in Washington to think that our people are victims who need handouts. But the people of Florida are diligent and hard working. They aren't looking for more promises from government or more programs from government. They want their shot at success. They want the freedom to overcome adversity. They have their own dreams, and many of those dreams start with getting a great education. That's why we are again proposing to invest record amounts in K-12 education this year. [applause]

With your support, this budget will invest a total of \$18.8 billion in education—the highest in Florida history. This record investment builds on our previous budgets, which invested an additional \$1 billion, two years in a row, in K-12 education. Of course, ensuring students get a great education means they must have excellent teachers. That's why last year, with your support, we gave every full-time, public classroom teacher the opportunity to get a pay raise. [applause]

This investment is sure to pay off. Florida teachers are ranked among the most effective in the country. Because of their hard work, our fourth and eighth graders, now, have had the largest achievement gains in the nation. Our fourth graders are now second in the world in reading. And, Florida high schools are 4 out of the top 10 in the entire United States.

Now, what motivates our teachers every day is more than a paycheck. I want to share with you the story of a teacher from Delray Beach. After being diagnosed with breast cancer in 2012, this Spady Elementary School teacher said her students saved her life by supporting her and making her stronger. Even when she returned to the classroom while still receiving treatments, her students made sure she would sit down while teaching and they helped her with simple chores around the classroom. But most of all, they made her laugh, and they constantly showered her with love. This is the story of teacher Ruthie Santiago, who is still teaching and just celebrated her second anniversary of being cancer free. Please join me in welcoming Ruthie Santiago. [standing ovation] So, Ruthie is here with her principal, Rona Tata, and her husband. [applause] I just want to honor Ruthie for her surviving cancer, but also for taking care of all those students. And if you want to go to a great school, go to Spady Elementary. It's a great place. But it's clearly teachers like Ruthie that make Florida schools some of the absolute best in the country. So we commit to you that we will keep working until the Florida schools are the best in the world, and we will keep working until all of our children have absolutely the best opportunities in the world. [applause]

Every parent wants their child to get a great education. And for many, that doesn't end at high school. That's why we are recommending in our budget \$80 million this year for those colleges and universities who graduate students best positioned to get a great job. We are changing how we fund higher education. But if we want to make higher education more accessible to low and middle-income families, we have to make it more affordable. Last year, I vetoed a tuition increase that would have taken a total of \$42 million from Florida families. And, this year, with your help, we want to get rid of the 15 percent increase and inflationary increase on tuition. [applause] Undoing these 2007 and 2009 laws is another way we can keep higher education affordable and accessible. My commitment to every family dreaming to send their children to college is simple—we will hold the line on tuition. [applause]

Parents saving for their children to get a 4-year degree from a public university today have to save \$53,000—\$53,000. We can't celebrate how accessible higher education is until we can celebrate that it's affordable. That's why I'm proud that all of our 4-year state colleges now offer bachelor's degrees for only \$10,000. And these degrees aren't just affordable, they're geared toward high job demand fields for kids who're prepared to get a great career when they graduate.

Now, when we set out to jump start our economy four years ago, we talked about creating 700,000 jobs in seven years. It was an ambitious goal. Today, we are moving the bar even higher. If we continue to pay down debt, like we do in this budget by another \$170 million—if we continue to cut taxes by rolling back the 2009 tax hike on annual motor vehicle fees so Floridians keep more of the money they earn—if we can continue to cut taxes on small

businesses by cutting the tax on business leases and rolling back the business tax to now exempt four out of five Florida businesses from paying it—if we do all this, Florida won't be just the land of 700,000 new jobs. We will clearly be the land of opportunity. [applause] I believe Florida will be so rich in opportunity that we will beat New York in population and beat Texas in job creation. [applause]

Four years ago, people were down on Florida. High unemployment. Shrinking home values. Florida was in retreat. For the first time in decades, more people left the state of Florida than moved in from other states. But now, we are on the rise. Jobs are coming back. Career opportunities are growing. Home values are improving. And there is simply no reason that Florida cannot be the number one state in the country to find a good job, raise a family, and achieve the American dream. [applause] Working together, we are making Florida, absolutely, number one.

I want to share with you the story of a young man living in Puerto Rico a few years ago. The economy there was hurting and he couldn't find a good paying job. He moved to Florida from Puerto Rico in 2007 with his parents and his sister, but struggled to find work. That all changed one day when he drove by a building under construction—that building would become O'Reilly Auto Parts, which just opened a distribution center in Lakeland and announced their plans to hire 400 new workers. The young man is Jorge Martir and he has worked in quality assurance there since November. [applause] Jorge says his new job is a dream come true, but he has other dreams. He wants to keep working his way up the ladder to higher and better positions at O'Reilly. In fact, he just got promoted to Supervisor-in-Training and that promotion starts March 9th, so, thank you again, Jorge, for being here. Congratulations on your new job and your promotion. We know your dream is to stay right here in Florida and make a great career at O'Reilly Auto Parts. We join with you in saying, "Let's keep working." [applause]

A second story I want to share is about a young woman who immigrated to Miami from Haiti when she was eight years old. She went to public school in Miami and went on to get a Bachelor's Degree in International Business from FSU—a little school down the road that just won the national football championship. [applause] Thank you, Coach Jimbo Fisher. Thanks for being here and congratulations. [standing ovation] [FSU War Chant] This lady worked a few jobs after she graduated, but in 2012, both she and her husband were out of work. She finally found a job in the bilingual sales department at AT&T, which had recently announced their expansion and plan to hire 350 new workers. That woman is Freda Voltaire. She is more than an employee at AT&T. She is the mother of two young boys—two and four years old. She says she wants her children to understand what it means to work hard and that, in America, if you work hard you can live your dreams. Freda, please stand. [standing ovation] Freda, we join with you in saying to your children and all generations in Florida, "Let's keep working." [applause]

The stories of opportunity in Florida stretch from east to west, from Key West to Panama City. In fact, a man in Panama City was struggling to find work when he was finishing his service in the U.S. Air Force. He told his wife and son they should prepare to move wherever he could find a job. He couldn't find good job options in Panama City until he heard about a company called iSirona. He walked into the company and got to sit down with the CEO that very same day. iSirona has now announced they will add 300 jobs in the area. That man is U.S. Air Force veteran, Sean Gilder. Sean and his wife, Mindi, are here today. [standing ovation] Sean and Mindi, like you, we believe Florida is the best place to raise a family, and we want our children to chase their dreams right here at home. So we join with you in saying, "Let's keep working." [applause]

Will you now please all stand with me to thank Sean for his service to our country and all of our military men and women who have served or who are currently serving all across the world today? [standing ovation] We can never say thank you enough to those who have served our country. I am so proud of all the men and women who wear uniform, like my dad did. I am also proud to say that Florida has one of the largest veteran populations in the country.

In closing, I want to share with you one last story. It is a story of a young man who lived in public housing as a kid, who never knew his natural father, who saw his adopted father struggle to keep a job, and who remembers the heartbreak on his parents' faces when the family car was repossessed. This young man joined the U.S. Navy after high school. Newly married, he left his young bride in their tiny apartment almost 2,000 miles from their home while he went off to sea. They didn't have much money, so they used the camping equipment they got for wedding gifts as furniture. They had to use a cooler as a coffee table, and they slept in sleeping bags on the floor. The young couple was thrifty. They saved every penny they could. They didn't have much money, but they were determined to make it. While working their way through college, they eventually saved enough money to open a small business. They worked at this business themselves, along with both of their moms. After a while, the business started making money and they added another location. The young couple is still young at heart, even though they've now been married over 40 years. That small business was a donut shop and that's how Ann and I started our first business. [applause]

I share this story with you today for two reasons. Because I lost my mom over a year ago, and I wanted another chance to talk about how I wish she were here today. We all need help in life, and my mom was my help. She taught me the value of hard work and did everything she could to put food on the table for us five kids. She was not afraid to work two or three jobs at a time—she refused to fail. She taught us the value of work and the dignity of work. She was happy that as a grade-schooler I was selling TV Guides door-to-door for just a few cents a copy. The second reason for talking about my story is I hope it just explains a little bit about my passion for creating jobs and opportunities for every Florida citizen. I know the reporters get tired of me constantly talking about jobs when they want to ask other questions. I know that some people in the room think I'm too singularly focused on Florida's economy. All I can tell you is we are all a product of our own experiences in life. I've seen what happens to families that struggle for a job. I've had Christmas without presents. I don't want anybody in our state to ever feel stuck in those situations. [applause]

I didn't start caring about a job when I ran a company. I started caring about my job when I watched my father lose his. I want Florida to be the land of opportunity. I want every entrepreneur to move to Florida. I want every business that's here to expand. I want every Floridian who has an idea for a small business to be able to do it. Every time a new job is created, some family, like mine growing up, is better off. Government cannot create jobs. Washington has proven that. But, government can create an environment where Floridians can create jobs. We have proven that. [applause]

With your help, I want us to keep cutting taxes, keep cutting regulations so every small business can succeed. Let's keep working. [applause] Let's keep working to reject the borrow, tax, and spend strategy of Washington, D.C. Let's keep working until everyone in our state, regardless of what country, what family, what zip code they were born into, has their shot to live the American dream. Let's keep working until we are not only the destination for all the world's tourists, but the destination for all the world's businesses. Let's keep working until all of our children and our grandchildren can have any career they want, right here, in Florida. The challenges facing our state are great. Our housing market is still recovering. There are some people still looking for a job. Members of the Florida Senate, members of the Florida House, I'm asking you to join with me today to say to all the people of Florida, we have more work left to do, so let's keep working. Thank you. [applause]

## Motion

On motion by Senator Thrasher, the Joint Session was dissolved at 12:13 p.m., and the Senators were escorted from the Chamber by the Sergeant at Arms of the Senate.

**Excused**

Reps. Davis, Thurston

**Adjourned**

Pursuant to the motion previously agreed to, the House adjourned at 4:35 p.m., to reconvene at 3:30 p.m., Wednesday, March 12, 2014, or upon call of the Chair.

**Pages and Messengers  
for the week of  
March 10-14, 2014**

Pages—Wallace "Trey" Chester, Miami; Jordan Corson, Tallahassee; Shane Madkour, Tallahassee; Andrew "Wyatt" McCallum, Fort McCoy; Sarah McCrackin, Tallahassee; Catharine Moraitis, Fort Lauderdale; Chloe Murphy, Tampa; Tatiana Perez-Allen, Land O' Lakes; Hannah Roberson, Port Charlotte; Daniel "Pierce" Ryan, Tallahassee; George Semple, Pensacola; Abby "Abby Anna" Stewart, Steinhatchee; Laney Yoder, Altha.

Messengers—Taryn Boyer, Polk City; Lauren Biddle, Tallahassee; David Corson, Tallahassee; Ryan Detert, Venice; Emily Freeman, Miami; Carrie Hartnett, Palm Coast; Jahiya Haywood, Quincy; Shelby McCrackin, Tallahassee; Hannah McLaughlin, Tampa; Abram "Abe" Medley, Lakeland; Alexis Moraitis, Fort Lauderdale; Ian O'Keefe, Port Orange; Patrick O'Keefe, Port Orange; Kelsea Peacock, Orlando; Daniel Posada, Tampa; Ryan Sellers, Tallahassee; Ronald L. "Ron" Simpson, Jr., Riviera Beach; Stafon Thomas, Tallahassee; Kenidee Webster, Tallahassee.

## CHAMBER ACTIONS ON BILLS

Tuesday, March 11, 2014

HB	97 — Read 2nd time; Placed on 3rd reading	CS/HB	7019 — Substituted CS/CS/SB 522; Laid on Table, refer to CS/CS/SB 522
CS/CS/HB	173 — Read 2nd time; Placed on 3rd reading	CS/CS/HB	7021 — Substituted CS/SB 524; Laid on Table, refer to CS/SB 524
CS/CS/HB	277 — Read 2nd time; Amendment 293193 Failed; Placed on 3rd reading	CS/CS/HB	7025 — Substituted CS/CS/SB 528; Laid on Table, refer to CS/CS/SB 528
CS for CS for SB	522 — Substituted for CS/HB 7019; Read 2nd time; Placed on 3rd reading	CS/HB	7027 — Substituted CS/CS/CS/SB 526; Laid on Table, refer to CS/CS/CS/SB 526
CS for SB	524 — Substituted for CS/CS/HB 7021; Read 2nd time; Placed on 3rd reading	HB	7031 — Read 2nd time; Placed on 3rd reading
CS for CS for CS for SB	526 — Substituted for CS/HB 7027; Read 2nd time; Placed on 3rd reading	HB	7073 — Read 2nd time; Amendment 001445 adopted; Placed on 3rd reading
CS for CS for SB	528 — Substituted for CS/CS/HB 7025; Read 2nd time; Amendment 634967 adopted; Placed on 3rd reading	HR	9013 — Read 2nd time; Adopted
		HR	9021 — Read 2nd time; Adopted
CS/HB	7007 — Read 2nd time; Placed on 3rd reading	HR	9023 — Read 2nd time; Adopted

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